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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91221837
Party	Plaintiff Bibiji Inderjit K Puri
Correspondence Address	MICHAEL A LONG THE SONI LAW FIRM 116 SOUTH EUCLID AVENUE PASADENA, CA 91101 UNITED STATES michael@sonilaw.com, surj@sonilaw.com, cassandra@sonilaw.com
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Signature	/Michael A. Long/
Date	07/19/2016
Attachments	160718 Bibiji Opp to Mot to Dismiss re Bad Yogi.pdf(32421 bytes) 160718 Bibiji Amd First Notice of Reliance re Bad Yogi.pdf(1679736 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

BIBIJI INDERJIT KAUR PURI

Opposer,

v.

BAD YOGI LLC,

Applicant.

Opposition No.: **91221837**

In Re:

Appl. Serial No.: 86432152

For the mark: BAD YOGI

Published on: April 7, 2015

OPPOSER BIBIJI INDERJIT KAUR PURI'S
RESPONSE TO APPLICANT BAD YOGI, LLC'S MOTION FOR
INVOLUNTARY DISMISSAL; AND MOTION TO REOPEN TIME TO
FILE AN AMENDED NOTICE OF RELIANCE PROVIDING
REGISTRATIONS PREVIOUSLY NOTICED UNDER TBMP 509.01(b)

Opposer, BIBIJI INDERJIT KAUR PURI ("Bibiji") hereby responds to Applicant BAD YOGI, LLC's Motion for Involuntary Dismissal on the following grounds:

I. INTRODUCTION

Opposer asserts her right to relief under 37 CFR 2.132(b) based on registrations, applications, and the likelihood of confusion between the Applicant's BAD YOGI and Opposer's YOGI marks. Opposer is entitled to relief based on the two marks. Avoiding incurring the unnecessary expense of "knee-jerk" discovery requests and notices of deposition are irrelevant to the determination of whether the Applicant's BAD YOGI mark risks likelihood of confusion with Opposer's YOGI marks. Opposer makes no showing in its motion to dismiss that there was

any necessity other than the fact of the registration and use of the Applicant's and Opposer's respective marks to constitute likelihood of confusion as alleged in the Notice of Opposition. Bibiji's marks constitute good cause and right to relief based on the following registrations and applications as previously noticed in the Notice of Opposition, Initial Disclosures, and Notice of Reliance which are already of record in this proceeding.

1. **U.S. Trademark Registrations:** All such documents are of public record and/or equally available to both parties.

i. **Reg. No. 1980514** for "YOGI TEA" filed Sep. 26, 1994 for the goods described as "tea" is held by registrant East West Tea Company for the benefit of Bibiji as an at least 50% co-owner;

ii. **Reg. No. 4412548** for the mark "LITTLE YOGIS" filed Jan. 10, 2003 is held by Wai Lana Productions, LLC for the benefit of Bibiji;

iii. **Reg. No. 3595462** for "YOGIBOTANICALS" filed Apr. 19, 2007 is held by Yogi Botanicals International Corporation for the benefit of Bibiji; and

iv. **Reg. No. 3595461** for "YOGI BOTANICALS ORGANIC SOLUTIONS" filed Apr. 19, 2007 is held by Yogi Botanicals International Corporation for the benefit of Bibiji.

2. **U.S. Trademark Applications:** All such documents are of public record and/or equally available to both parties.

i. **Ser. No. 77784202** for the mark "YOGI NUT" in association with "Processed nuts" filed on July 17, 2009 is held by Yogi Botanicals International Corporation for the benefit of Bibiji;

ii. **Ser. No. 86137651** for the mark "YOGI" in association with clothing (Class 25) filed on December 06, 2013 is held by Bibiji;

iii. **Ser. No. 77636305** for the mark "YOGI" in association with "processed cereal-based food to be used as a breakfast food, snack food, or ingredient for making other foods" filed on December 18, 2008 is held by Bibiji as an at least 50% co-owner with the Yogi Bhajan Administrative Trust;

iv. **Ser. No. 77889992** for the mark "YOGI" in association with "Granola; granola snacks; granola-based snack bars; ready to eat, cereal-derived food bars" filed on December 9, 2009 is held by Bibiji as an at least 50% co-owner with the Yogi Bhajan Administrative Trust;

- v. **Ser. No. 85920241** for the mark “YOGI” in association with various food products filed on May 1, 2013 is held by Bibiji as an at least 50% co-owner with the Yogi Bhajan Administrative Trust; and
- vi. **Ser. No. 86432152** for the mark “BAD YOGI” filed by Applicant and its file history.

The following schedule was set on May 6, 2015 by the Board:

Time to Answer	06/15/2015
Deadline for Discovery Conference	07/15/2015
Discovery Opens	07/15/2015
Initial Disclosures Due	08/14/2015
Expert Disclosures Due	12/12/2015
Discovery Closes	01/11/2016
Plaintiff's Pretrial Disclosures	02/25/2016
Plaintiff's 30-day Trial Period Ends	04/10/2016
Defendant's Pretrial Disclosures	04/25/2016
Defendant's 30-day Trial Period Ends	06/9/2016
Plaintiff's Rebuttal Disclosures	06/24/2016
Plaintiff's 15-day Rebuttal Period Ends	07/24/2016

TTABVUE #2.

Applicant's discovery period closed on July 9, 2016. Weeks later, on June 27, 2016, Applicant moved to dismiss under 37 C.F.R. 2.132. Yet Applicant claims its Motion is timely. [Mot. at 1] The Motion is not of right, untimely, and should be DENIED as counsel for Applicant Bad Yogi, LLC has misrepresented the facts to the Board.

In the alternative, if the Board does not impute notice of the registrations reviewed and answered by Applicant's Answer of record as of June 15, 2016 [TTABVUE #4], Opposer moves for the Board's leave to file the documents that coincide with the previously noted registrations and applications. Bibiji moves to reopen plaintiff's discovery on the basis of inadvertence or excusable neglect under TBMP 509 and Fed. R. Civ. P. 6(b)(1) and *Pioneer* including all relevant circumstances and enumerated factors. The registrations and applications were reviewed by multiple counsels for Applicant who each had full access to and

Opposer's registrations and applications in its moving papers. True and correct copies corresponding to the registrations and applications noted in the Notice of Opposition [TTABVUE #1], are attached hereto as **Exhibits A-J**.

II. STANDARD OF REVIEW—THE BOARD HAS DISCRETION TO DENY OR GRANT UNDER 37 CFR 2.132

37 CFR 2.132(c) provides:

A motion filed under paragraph (a) or (b) of this section must be filed before the opening of the testimony period of the moving party, except that the Trademark Trial and Appeal Board may in its discretion grant a motion under paragraph (a) even if the motion was filed after the opening of the testimony period of the moving party.

Applicant's motion is untimely because it was filed after the close of Applicant's discovery period, which opened on April 25, 2015 and ended on June 9, 2016. Thus, Applicant lost its right to involuntary dismissal under 37 CFR 2.132(C). Therefore, the Board is not required to dismiss this case. *Id.*

Thus, the Board should exercise its discretion under 2.132(c) to DENY the given Applicant's delay in bringing the instant Motion and its lack of production of any evidence to support any of its affirmative defenses stated in its Answer.

III. ARGUMENT

A. Time To Reopen Plaintiff's Discovery Is Grantable Under TBMP 509.01(b)

Under TBMP 509.01(b):

The movant must show that its failure to act during the time previously allotted therefore was the result of excusable neglect. See Fed. R. Civ. P. 6(b). But see discussion in TBMP § 508 regarding requirement only to show good cause to obtain reopening of time for defendant to file an answer to a complaint.

The Board in determining whether “excusable neglect” exists “**must take into account all relevant circumstances surrounding the party’s omission or delay**, including (1) the danger of prejudice to the nonmovant, (2) the length of the delay and its potential impact on judicial proceedings, (3) the reason for the delay, including whether it was within the reasonable control of the movant, and (4) whether the movant acted in good faith.” *Pioneer Investment Services Company v. Brunswick Associates Ltd. Partnership*, 507 U.S. 380 (1993), adopted by the Board in *Pumpkin Ltd. v. The Seed Corps*, 43 USPQ2d 1582 (TTAB 1997).

Here, “all relevant circumstances” under *Pioneer* includes the following facts: (1) the Board has sustained Oppositions in favor of Bibiji as the Opposer without the taking of any testimony previously in other cases; (2) Counsel for Bibiji, Lead Attorney Surjit Soni instructed Attorney Michael Long not to notice depositions or propound discovery due to the prior-granted oppositions. (3) No authorization for the expense of discovery was ever authorized by the client Bibiji in this case. (4) discovery was unnecessary for the prosecution of this Opposition. (5) Opposer’s registrations and applications for the YOGI marks were reviewed by Applicant’s counsel immediately as admitted on record in the Answer filed on June 15, 2015. [TTABVUE #4]

Based on the foregoing, the circumstances in this case support a finding of excusable neglect and take this case out of the context of other cases that would normally require testimony. *Pioneer*. In addition, the four enumerated factors in *Pioneer* are also discussed below:

(1) the danger of prejudice to the nonmovant

Nonmovant / Opposer Bibiji will be unfairly prejudiced by dismissal of this Opposition. The YOGI marks will be rendered completely ineffective against BAD YOGI mark if this opposition were to be dismissed with prejudice. If the

BAD YOGI mark is then permitted to register, such registration could and would create a likelihood of confusion with the YOGI marks, damaging Bibiji's interest in the YOGI marks and their value to licensees as foreseeable by the facts of Bibiji's registrations and the first use giving Bibiji priority under said registrations and applications. Thus, Factor #1 favors DENYING the Applicant's Motion. *Pioneer*.

(2) the length of the delay and its potential impact on judicial proceedings

The delay on judicial proceedings is nonexistent, because the evidence of registrations were already reviewed by Movant Bad Yogi, LLC's counsel. There is no delay and no prejudice to the Movant, and thus the present Board proceedings can and should proceed without further delay. Thus, Factor #2 also favors DENYING the Motion. *Id.*

(3) the reason for the delay, including whether it was within the reasonable control of the movant

The delay in filing registrations with a notice of reliance is superficial under the facts of this case: Movant Bad Yogi, LLC had and does not deny it obtained copies of the cited registrations and applications of Bibiji's YOGI marks.

Nonmovant Bibiji provided the registration numbers and application numbers with descriptions of the marks to the Movant, and pointed out in its Initial Disclosures and its Notice of Reliance that the marks are equally available to both parties.

Movant Bad Yogi, LLC was in full control of whether to look up those registrations or to object to being imputed as having equal access to the registrations and applications.

Movant Bad Yogi, LLC was also in full control of whether to file its Motion before the expiration of its discovery period, which closed on July 9, 2016. Bad Yogi, LLC delayed its filing of this Motion until July 27, 2016.

Thus, Factor #3 also favors DENYING the Motion. *Id.*

(4) whether the movant acted in good faith

Applicant's motion is an improper summary judgment motion. It asks the Board to consider evidence before trial, and before arguments are submitted citing the same registrations and applications that Applicant this entire time has had full access to. Applicant's claim of Bibiji having a "lack of evidence" is patently false. Applicant, as the movant, did not act in good faith because Applicant failed to produce any defensive evidence against Bibiji's claim of right under the YOGI marks. That is because no such evidence exists.

Applicant produced no evidence to show prior use before Applicant's YOGI registration which evinces use in 1983.

Applicant would have the Board ignore foreseeable confusion based on the parties' respective marks. Applicant submits in argument that a chart between the marks somehow constitutes an absence of likelihood of confusion, ignoring the *du Pont* factors. Because Applicant lacks evidence to withstand this Opposition, the instant Motion is ultimately not in good faith, increases needless expense, and wastes resources of the Board and Opposer's time and resources.

Given the lack of substantive evidence showing prior use by Movant of its BAD YOGI mark, the Movant did not act in good faith by arguing that it did not have the registrations or applications it reviewed and argued, evinces as an admission in the pleadings.

Movant's claim of not having registrations or applications is not the reality of this case. They were produced during discovery, and it is fair to impute that the Applicant had full knowledge through its numerous counsels at the firm of Hill

Ward Henderson, including through its various multiple attorneys who have worked on this case: Rachel Fienman, Esq.; David Luikart, III, Esq.; and Stephen E. Kelly, Esq. Therefore, Factor #4 also favors DENYING the Motion.

Based on all of the relevant circumstances and the four enumerated factors, the facts support a finding of excusable neglect in this case. Therefore, the Motion should be DENIED. *Id.*

B. Applicant Bad Yogi, LLC's Motion Constitutes A Motion That Requires Examination Of Trial Evidence Prior To Final Decision And Is Not Available In Board Proceedings

Motions that require examination of trial evidence prior to final decision, such as motions in limine, and those under Fed. R. Civ. P. 41(b) for involuntary dismissal and under Fed. R. Civ. P. 50(a) for judgment as a matter of law (formerly known as a motion for directed verdict), are not available in Board proceedings.

TBMP 502.01.¹ This Motion is untimely and therefore not properly considered under 37 CFR 2.132(a) or (b). Thus, the Motion is a nullity and should be DENIED in its entirety.

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¹ See *Byer California v. Clothing for Modern Times Ltd.*, 95 USPQ2d 1175, 1178 (TTAB 2010) (applicant's motion to exclude testimony not construed as motion in limine); *Greenhouse Systems Inc. v. Carson*, 37 USPQ2d 1748, 1750-51 (TTAB 1995) (motions in limine not available); *Kasco Corp. v. Southern Saw Service Inc.*, 27 USPQ2d 1501, 1504 n.2 (TTAB 1993) (directed verdicts not available); *Rainbow Carpet, Inc. v. Rainbow International Carpet Dyeing & Cleaning Co.*, 226 USPQ 718, 718 (TTAB 1985) (to extent motion for summary judgment was intended as one for directed verdict, it is inappropriate); *Stockpot, Inc. v. Stock Pot Restaurant, Inc.*, 220 USPQ 52, 61 (TTAB 1983), *aff'd*, 737 F.2d 1576, 222 USPQ 665 (Fed. Cir. 1984) (motion for involuntary dismissal under Fed. R. Civ. P. 41(b) unavailable).

C. Absence of Testimony is Irrelevant Because Opposer's Registrations Support Good Cause to Deny The Motion

37 C.F.R. §2.132(a) provides:

If the time for taking testimony by any party in the position of plaintiff has expired and that party has not taken testimony *or offered any other evidence*, any party in the position of defendant may, without waiving the right to offer evidence in the event the motion is denied, move for dismissal on the ground of the failure of the plaintiff to prosecute. [...]

It is clear that testimony is not a prerequisite to a valid Board determination. However, Applicant Bad Yogi, LLC moved to dismiss under 37 C.F.R. §2.132 citing an absence of testimony during Opposer's discovery period. However, the rules provide that *any evidence may support an opposition—not just testimony*. Such evidence includes the same registrations and applications that Applicant accessed and reviewed during the course of this case, and it had notice of such registrations and applications at the inception of this case in at least three ways: (1) Bibiji's Notice of Opposition; (2) Opposer's Initial Disclosures; and (3) Bibiji's Notice of Reliance.

D. The Absence of Testimony Is Insufficient To Support Outright Dismissal Of the Present Opposition Proceeding

Opposer offered other evidence besides testimony in its Notice of Reliance, and hereby submits an amended notice of reliance (the exact same notice, only with the registration documents attached). Such registrations constitute good cause to deny the Motion.

Furthermore, any such omission of the documents was inadvertent and not intended in any way to constitute an abandonment of the present Opposition. Thus, there is no intent to abandon or to not prosecute the present Opposition. Based on the foregoing, Opposer has a basis of good cause why this Motion should

not be dismissed. Accordingly, the Motion should be DENIED in the interests of justice.

Applicant has offered no evidence to defeat the merits of the instant proceeding brought by Bibiji to protect the YOGI family of marks. Bibiji's entitlement to right to relief stems from the YOGI marks. The facts favor adjudication on the merits of this case.

IV. CONCLUSION

Based on the foregoing, Applicant's Motion for Involuntary Dismissal should be DENIED in favor of determining the case on its merits. 37 C.F.R. 2.132(a), (b), and (c). Not taking testimony is not proper grounds for dismissal given the registrations and applications providing proper showing of good cause not to dismiss.

Dated: July 18, 2016

THE SONI LAW FIRM

/s/ Michael A. Long

Surjit P. Soni

Michael A. Long

Attorneys for Opposer,

BIBIJI INDERJIT KAUR PURI

CERTIFICATE OF SERVICE

I certify that I served the foregoing **OPPOSER BIBIJI INDERJIT KAUR PURI'S RESPONSE TO APPLICANT BAD YOGI, LLC'S MOTION FOR INVOLUNTARY DISMISSAL AND MOTION TO REOPEN TIME TO FILE AN AMENDED NOTICE OF RELIANCE PROVIDING REGISTRATIONS PREVIOUSLY NOTICED UNDER TBMP 509.01(B)** to the attorney of record for Applicant Bad Yogi, LLC as follows:

STEPHEN E. KELLY
HILL WARD HENDERSON
101 E KENNEDY BLVD SUITE 3700, PO BOX 2231
TAMPA, FL 33602-5195

By causing a full, true, and correct thereof to be sent by mailing in a sealed, first class postage prepaid envelope and deposited with the United States Postal Service.

Date: July 18, 2016

/s/ Cassandra Scardino
Cassandra Scardino

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

BIBIJI INDERJIT KAUR PURI

Opposer,

v.

BAD YOGI LLC,

Applicant.

Opposition No.: **91221837**

In Re:

Appl. Serial No.: 86432152

For the mark: BAD YOGI

Published on: April 7, 2015

OPPOSER BIBIJI INDERJIT KAUR PURI'S
FIRST AMENDED NOTICE OF RELIANCE

Opposer, BIBIJI INDERJIT KAUR PURI ("Bibiji") hereby submits this First **Amended** Notice of Reliance. Bibiji reserves the right to amend or supplement this Notice. Bibiji intends to rely on the following evidence:

1. **U.S. Trademark Registrations:** All such documents are of public record and/or equally available to both parties.

- i. **Reg. No. 1980514** for "YOGI TEA" filed Sep. 26, 1994 for the goods described as "tea" is held by registrant East West Tea Company for the benefit of Bibiji as an at least 50% co-owner. A true and correct copy of said registration is attached hereto as **Exhibit A**.

- ii. **Reg. No. 4412548** for the mark "LITTLE YOGIS" filed Jan. 10, 2003 is held by Wai Lana Productions, LLC for the benefit of Bibiji. A true and correct copy of said registration is attached hereto as **Exhibit B**

- iii. **Reg. No. 3595462** for "YOGIBOTANICALS" filed Apr. 19, 2007 is held by Yogi Botanicals International Corporation for the benefit of Bibiji. A true and correct copy of said registration is attached hereto as **Exhibit C**.

iv. **Reg. No. 3595461** for “**YOGI BOTANICALS ORGANIC SOLUTIONS**” filed Apr. 19, 2007 is held by Yogi Botanicals International Corporation for the benefit of Bibiji. A true and correct copy of said registration is attached hereto as **Exhibit D**.

2. **U.S. Trademark Applications:** All such documents are of public record and/or equally available to both parties.

i. **Ser. No. 77784202** for the mark “**YOGI NUT**” in association with “**Processed nuts**” filed on July 17, 2009 is held by Yogi Botanicals International Corporation for the benefit of Bibiji. A true and correct copy of said registration is attached hereto as **Exhibit E**.

ii. **Ser. No. 86137651** for the mark “**YOGI**” in association with clothing (Class 25) filed on December 06, 2013 is held by Bibiji. A true and correct copy of said registration is attached hereto as **Exhibit F**

iii. **Ser. No. 77636305** for the mark “**YOGI**” in association with “**processed cereal-based food to be used as a breakfast food, snack food, or ingredient for making other foods**” filed on December 18, 2008 is held by Bibiji as an at least 50% co-owner with the Yogi Bhajan Administrative Trust. A true and correct copy of said registration is attached hereto as **Exhibit G**.

iv. **Ser. No. 77889992** for the mark “**YOGI**” in association with “**Granola; granola snacks; granola-based snack bars; ready to eat, cereal-derived food bars**” filed on December 9, 2009 is held by Bibiji as an at least 50% co-owner with the Yogi Bhajan Administrative Trust. A true and correct copy of said registration is attached hereto as **Exhibit H**.

v. **Ser. No. 85920241** for the mark “**YOGI**” in association with various food products filed on May 1, 2013 is held by Bibiji as an at least 50% co-owner with the Yogi Bhajan Administrative Trust. A true and correct copy of said registration is attached hereto as **Exhibit I**.

vi. **Ser. No. 86432152** for the mark “BAD YOGI” filed by Applicant and its file history. A true and correct copy of said registration is attached hereto as composite **Exhibit J**.

Dated: July 18, 2016

THE SONI LAW FIRM

/s/ Michael A. Long

Surjit P. Soni

Michael A. Long

Attorneys for Opposer,

BIBIJI INDERJIT KAUR PURI

CERTIFICATE OF SERVICE

I certify that I served the foregoing **OPPOSER BIBIJI INDERJIT KAUR PURI'S FIRST AMENDED NOTICE OF RELIANCE** to the attorney of record for Applicant Bad Yogi, LLC as follows:

DAVID L LUIKART

HILL WARD HENDERSON

101 E KENNEDY BLVD SUITE 3700, PO BOX 2231

TAMPA, FL 33602-5195

By causing a full, true, and correct thereof to be sent by mailing in a sealed, first class postage prepaid envelope and deposited with the United States Postal Service.

Date: July 18, 2016

/s/ Cassandra Scardino

Cassandra Scardino

Int. Cl.: 30

Prior U.S. Cl.: 46

United States Patent and Trademark Office **Reg. No. 1,980,514**
Registered June 18, 1996

**TRADEMARK
PRINCIPAL REGISTER**

YOGI TEA

YOGI G, INC. (CALIFORNIA CORPORATION),
DBA THE YOGI TEA COMPANY
1616 PREUSS ROAD
LOS ANGELES, CA 90035

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "TEA", APART FROM THE
MARK AS SHOWN.

SER. NO. 74-578,588, FILED 9-26-1994.

FOR: TEA, IN CLASS 30 (U.S. CL. 46).
FIRST USE 3-8-1983; IN COMMERCE
3-8-1983.

SAMUEL E. SHARPER JR., EXAMINING AT-
TORNEY

Int. Cls.: 3, 30, 31, and 40

Prior U.S. Cls.: 1, 4, 6, 46, 50, 51, 52, 100, 103, and 106

United States Patent and Trademark Office

Reg. No. 3,595,461

Registered Mar. 24, 2009

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**



YOGIBOTANICALS INTERNATIONAL COR-
PORATION (CALIFORNIA CORPORATION)
262 SOUTH BEVERLY DR, STE 221
BEVERLY HILLS, CA 90212

FOR: NATURAL ESSENTIAL OILS, NAMELY,
RAW OLEORESINS , IN CLASS 3 (U.S. CLS. 1, 4, 6,
50, 51 AND 52).

FIRST USE 1-1-1997; IN COMMERCE 1-1-1997.

FOR: SPICES, ORGANIC SPICES, PROCESSED
HERBS, ORGANIC PROCESSED HERBS, IN CLASS
30 (U.S. CL. 46).

FIRST USE 1-1-1997; IN COMMERCE 1-1-1997.

FOR: DRIED FLOWERS FOR USE IN HERBAL
AND SPICE FORMULATIONS, IN CLASS 31 (U.S.
CLS. 1 AND 46).

FIRST USE 1-1-1997; IN COMMERCE 1-1-1997.

FOR: MANUFACTURING SERVICES FOR OTH-
ERS IN THE FIELD OF OLEORESIN EXTRACTION,
IN CLASS 40 (U.S. CLS. 100, 103 AND 106).

FIRST USE 1-1-1997; IN COMMERCE 1-1-1997.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "BOTANICALS" AND "ORGANIC
SOLUTIONS", APART FROM THE MARK AS
SHOWN.

THE MARK CONSISTS OF A MAP OF THE
EARTH SURROUNDED BY FLOWERS AND
PLANTS, THE WORDS "YOGI BOTANICALS OR-
GANIC SOLUTIONS" SURROUNDING THE FLOW-
ERS AND PLANTS.

SN 77-161,161, FILED 4-19-2007.

MARK T. MULLEN, EXAMINING ATTORNEY

Int. Cls.: 3, 30, 31, and 40

Prior U.S. Cls.: 1, 4, 6, 46, 50, 51, 52, 100, 103, and 106

United States Patent and Trademark Office

Reg. No. 3,595,462

Registered Mar. 24, 2009

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**

YOGIBOTANICALS

YOGIBOTANICALS INTERNATIONAL COR-
PORATION (CALIFORNIA CORPORATION)
262 SOUTH BEVERLY DR, STE 221
BEVERLY HILLS, CA 90212

FOR: NATURAL ESSENTIAL OILS, NAMELY,
RAW OLEORESINS , IN CLASS 3 (U.S. CLS. 1, 4, 6,
50, 51 AND 52).

FIRST USE 1-1-1997; IN COMMERCE 1-1-1997.

FOR: SPICES, ORGANIC SPICES, PROCESSED
HERBS, ORGANIC PROCESSED HERBS, AND
RAW OLEORESINS, IN CLASS 30 (U.S. CL. 46).

FIRST USE 1-1-1997; IN COMMERCE 1-1-1997.

FOR: DRIED FLOWERS FOR USE IN HERBAL
AND SPICE FORMULATIONS, IN CLASS 31 (U.S.
CLS. 1 AND 46).

FIRST USE 1-1-1997; IN COMMERCE 1-1-1997.

FOR: MANUFACTURING SERVICES FOR OTH-
ERS IN THE FIELD OF OLEORESIN EXTRACTION,
IN CLASS 40 (U.S. CLS. 100, 103 AND 106).

FIRST USE 1-1-1997; IN COMMERCE 1-1-1997.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

SN 77-161,166, FILED 4-19-2007.

MARK T. MULLEN, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office

LITTLE YOGIS

Reg. No. 4,412,548

Registered Mar. 30, 2010

New Cert. Oct. 15, 2013

Int. Cls.: 29 and 30

PURI, BIBIJI INDERJIT KAUR (UNITED STATES INDIVIDUAL)
269 S. BEVERLY DRIVE
SUITE 221
LOS ANGELES, CA 90212

FOR: FRUIT-BASED SNACK FOOD, SNACK MIX CONSISTING PRIMARILY OF PROCESSED FRUITS, PROCESSED NUTS AND/OR RAISINS, IN CLASS 29 (U.S. CL. 46).

FIRST USE 10-14-2009; IN COMMERCE 10-14-2009.

TRADEMARK

PRINCIPAL REGISTER

FOR: BREAKFAST CEREALS, CEREAL BASED SNACK FOOD, GRANOLA, HERB TEA FOR FOOD PURPOSES, TEA, TEA-BASED BEVERAGES WITH FRUIT FLAVORING, IN CLASS 30 (U.S. CL. 46).

FIRST USE 10-14-2009; IN COMMERCE 10-14-2009.

SER. NO. 78-981,587, FILED 1-10-2003.



Lisa Street Lee

Deputy Director of the United States Patent and Trademark Office

Trademark/Service Mark Application, Principal Register

Serial Number: 77636305

Filing Date: 12/18/2008

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	77636305
MARK INFORMATION	
*MARK	YOGI
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	YOGI
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	Golden Temple of Oregon, LLC
*STREET	2545 Prairie Road
*CITY	Eugene
*STATE (Required for U.S. applicants)	Oregon
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	97402
LEGAL ENTITY INFORMATION	
TYPE	limited liability company
STATE/COUNTRY WHERE LEGALLY ORGANIZED	Oregon
GOODS AND/OR SERVICES AND BASIS INFORMATION	
*INTERNATIONAL CLASS	030
*IDENTIFICATION	processed cereal-based food to be used as a breakfast food, snack food, or ingredient for making other foods
FILING BASIS	SECTION 1(b)
ATTORNEY INFORMATION	
NAME	Paul L. Havel
ATTORNEY DOCKET NUMBER	GOLDEN TEMPLE
FIRM NAME	Miller Nash LLP
STREET	111 S.W. Fifth Avenue
INTERNAL ADDRESS	Suite 3400

EXHIBIT E

CITY	Portland
STATE	Oregon
COUNTRY	United States
ZIP/POSTAL CODE	97204
PHONE	503-205-2596
FAX	503-224-0155
EMAIL ADDRESS	trademark@millernash.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
OTHER APPOINTED ATTORNEY	Erich W. Merrill, Jr., Brian Esler, Alix Rosenbaum, Alicia Bell and Samantha Pak
CORRESPONDENCE INFORMATION	
NAME	Paul L. Havel
FIRM NAME	Miller Nash LLP
STREET	111 S.W. Fifth Avenue
INTERNAL ADDRESS	Suite 3400
CITY	Portland
STATE	Oregon
COUNTRY	United States
ZIP/POSTAL CODE	97204
PHONE	503-205-2596
FAX	503-224-0155
EMAIL ADDRESS	trademark@millernash.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
FEE INFORMATION	
NUMBER OF CLASSES	1
FEE PER CLASS	325
*TOTAL FEE DUE	325
*TOTAL FEE PAID	325
SIGNATURE INFORMATION	
SIGNATURE	/Robert J. Ziehl/
SIGNATORY'S NAME	Robert J. Ziehl
SIGNATORY'S POSITION	Director of Marketing
DATE SIGNED	12/18/2008

Trademark/Service Mark Application, Principal Register

Serial Number: 77636305

Filing Date: 12/18/2008

To the Commissioner for Trademarks:

MARK: YOGI (Standard Characters, see [mark](#))

The literal element of the mark consists of YOGI.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, Golden Temple of Oregon, LLC, a limited liability company legally organized under the laws of Oregon, having an address of
2545 Prairie Road
Eugene, Oregon 97402
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended.

International Class 030: processed cereal-based food to be used as a breakfast food, snack food, or ingredient for making other foods
Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

The applicant hereby appoints Paul L. Havel and Erich W. Merrill, Jr., Brian Esler, Alix Rosenbaum, Alicia Bell and Samantha Pak of Miller Nash LLP

Suite 3400
111 S.W. Fifth Avenue
Portland, Oregon 97204
United States

to submit this application on behalf of the applicant. The attorney docket/reference number is GOLDEN TEMPLE.

Correspondence Information: Paul L. Havel

Suite 3400
111 S.W. Fifth Avenue
Portland, Oregon 97204
503-205-2596(phone)
503-224-0155(fax)
trademark@millernash.com (authorized)

A fee payment in the amount of \$325 has been submitted with the application, representing payment for 1 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /Robert J. Ziehl/ Date Signed: 12/18/2008

Signatory's Name: Robert J. Ziehl

Signatory's Position: Director of Marketing

EXHIBIT E

RAM Sale Number: 5810
RAM Accounting Date: 12/19/2008

Serial Number: 77636305
Internet Transmission Date: Thu Dec 18 18:19:11 EST 2008
TEAS Stamp: USPTO/BAS-XX.XXX.XX.XXX-2008121818191108
0421-77636305-400c0af5be9af356abdba59226
06fd894b-DA-5810-20081218180806373840

YOGI

YOGI

United States of America
United States Patent and Trademark Office

YOGI NUT

Reg. No. 4,961,890

Registered May 24, 2016

Int. Cl.: 29

YOGI BOTANICALS INTERNATIONAL CORPORATION (CALIFORNIA CORPORATION),
AKA YOGI BOTANICALS
SUITE 221
269 SOUTH BEVERLY DRIVE
BEVERLY HILLS, CA 90212

TRADEMARK

PRINCIPAL REGISTER

FOR: PROCESSED NUTS, IN CLASS 29 (U.S. CL. 46).

FIRST USE 4-30-2009; IN COMMERCE 6-17-2009.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 3,595,461 AND 3,595,462.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "NUT", APART FROM THE MARK AS SHOWN.

SER. NO. 77-784,202, FILED 7-17-2009.

SUSAN LESLIE DUBOIS, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

Trademark/Service Mark Application, Principal Register

Serial Number: 77889992

Filing Date: 12/09/2009

To the Commissioner for Trademarks:

MARK: YOGI (Standard Characters, see [mark](#))

The literal element of the mark consists of YOGI.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, Golden Temple of Oregon, LLC, a limited liability company legally organized under the laws of Oregon, having an address of
2545 Prairie Road
Eugene, Oregon 97402
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 030: Granola; granola snacks; granola-based snack bars; ready to eat, cereal-derived food bars

Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

The applicant's current Attorney Information:

Parna A. Mehrbani and Kenneth R. Davis II and Steven B. Winters of Lane Powell PC
601 SW 2nd Avenue, Suite 2100
Portland, Oregon 97204
United States

The attorney docket/reference number is 708480.8.

The applicant's current Correspondence Information:

Parna A. Mehrbani
Lane Powell PC
601 SW 2nd Avenue, Suite 2100
Portland, Oregon 97204
(503) 778-2127(phone)
(503) 778-2200(fax)
trademarks@lanepowell.com (authorized)

A fee payment in the amount of \$325 has been submitted with the application, representing payment for 1 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /Robert J Ziehl/ Date Signed: 12/04/2009

Signatory's Name: Robert J. Ziehl

Signatory's Position: Director of Marketing

EXHIBIT G

RAM Sale Number: 8326
RAM Accounting Date: 12/10/2009

Serial Number: 77889992
Internet Transmission Date: Wed Dec 09 20:34:59 EST 2009
TEAS Stamp: USPTO/BAS-XXX.XXX.XXX.XXX-20091209203459
869014-77889992-460c85aaaf25a206af81ce8
d2fe8fe7cd-CC-8326-20091203141309615333

YOGI

Trademark/Service Mark Application, Principal Register

Serial Number: 85920241

Filing Date: 05/01/2013

To the Commissioner for Trademarks:

MARK: YOGI (Standard Characters, see [mark](#))

The literal element of the mark consists of YOGI.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, Inderjit Kaur Puri, a citizen of United States, having an address of
407 Hermosa Drive, SE
Albuquerque, New Mexico 87108
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 029: processed fruits; canned fruits; dried fruits; preserved fruits; packaged entrees consisting primarily of vegetables; prepared entrees consisting primarily of vegetables; frozen entrees consisting primarily of vegetables; packaged meals consisting primarily of vegetables; prepared meals consisting primarily of vegetables; frozen meals consisting primarily of vegetables; packaged vegetable-based entrees; prepared vegetable-based entrees; frozen vegetable-based entrees; algae food beverages, namely, seaweed drinks; aloe vera prepared for human consumption; apple butter; apple puree; applesauce; baked beans; baked potatoes; banana chips; bases for making milk shakes; bean curd; bean dip; bean flour; bean-based snack foods; beverages consisting principally of milk; beverages having a milk base; beverages made from yogurt; beverages made with yogurt; blanched nuts; blended cheese; blended oil for food; blended vegetable oils; bottled fruits; butter; butter substitutes; buttermilk; candied fruit; candied fruit snacks; candied nuts; canned beans; canned fruits; canned fruits and vegetables; canned or bottled fruits; canned or bottled vegetables; canned peanuts; canned processed olives; canned tomatoes; canned vegetables; canned, cooked or otherwise processed tomatoes; canola oil; caponata; chantilly cream; charcuterie; cheese; cheese and cracker combinations; cheese fondue; cheese food; cheese powder; cheese spreads; cheese substitutes; cheese, namely, gouda cheese; cheese, namely, edam cheese; cheese, namely, processed cheese; cheese, namely, cheddar cheese; chile verde; chili with or without beans; chop suey being vegetable based; chow mein being vegetable based; clarified butter; cocoa butter for food purposes; coconut cream; coconut meal; coconut milk powder; coconut oil; coconut oil and fat for food; coconut powder; coconut-based beverage used as a milk substitute; coffee creamer; coffee-coated nuts; cole slaw; colza oil for food; cooked fruits and vegetables; cooked vegetables; cooking oil; corn oil for food; cottage cheese; cream; cream cheese; cream fraiche; cream powder; cream, being dairy products; creamers for beverages; creme fraiche; crystallized fruit; curd; cut fruits; bagged fruits; canned fruits; bottled fruits; cut vegetables; bagged vegetables; canned vegetables; bottled vegetables; dairy products being processed; dairy-based beverages; dairy-based chocolate food beverages; dairy-based dips; dairy-based food beverages; dairy-based food beverages also containing cocoa; dairy-based powders for making dairy-based food beverages and shakes; dairy-based snack foods being processed; dairy-based spreads; dal; deep fried tofu; dehydrated fruit snacks; desiccated coconut; deviled eggs; diced tomatoes; dill pickles; dip mixes; dolmas; dried beans; dried cranberries; dried dates; dried edible algae; dried edible fungi; dried edible seaweed; dried figs; dried fruit and vegetables; dried fruit mixes; dried fruits; dried fruits in powder form; dried fruit-based snacks; dried lentils; dried milk for food; dried milk powder; dried persimmon; dried pieces of agar; dried soybeans; dried truffles; dried vegetables; dried vegetables in powder form; drinkable soups; drinking yogurts; drinks based on yogurt; dry or aromatized fruit; dry whey; edible fats; edible oil; edible oils; edible oils and edible fats; edible oils and fats; edible oils and fats, preserves; edible oils and fats, preserves and pickles; edible oils and fats, preserves, pickles; edible shavings of dried kelp; egg product for egg substitute; egg substitute; eggplant parmigiana; evaporated milk; extracts for soups; falafel; falafel; farmer's cheese; fermented bamboo shoots boiled and preserved in salt being menma; fermented bean curd; fermented milk; fermented soybeans being natto; fermented vegetables being kimchi; feta cheese; fig and date roll consisting of dried fruits, nuts, and spices; flaked coconut; flavored nuts; flaxseed oil for culinary purposes; food glazing preparations comprised primarily of fruit and/or fruit pectin for use in cooking and baking; food package combinations consisting primarily of cheese and/or processed fruit; formed textured vegetable protein for use as a meat substitute; freeze-dried tofu pieces; french fried potato dish consisting primarily of french fries and gravy, cheese curds or other toppings; french fried potatoes; french fries; fresh unripened cheeses; fried platano being plantain; fried potatoes; fried tofu pieces; frosted fruits; frozen broth; frozen fruits; frozen vegetables; frozen, frosted, preserved, processed, dried, cooked or crystallized fruit and vegetables extracts for use in prepared meals or food; fruit and soy based snack food; fruit and vegetable salads; fruit and vegetable granules for use in prepared meals or food; fruit butters; fruit chips; fruit concentrates and purees used as ingredients of foods; fruit conserves; fruit jellies as ingredients of foods; fruit juices for cooking; fruit leathers; fruit paste; fruit pectin for culinary purposes; fruit peel; fruit peels; fruit preserves; fruit pulp; fruit pulps; fruit purees; fruit rinds; fruit salads; fruit salads and vegetable salads; fruit sauces; fruit spreads; fruit topping; fruits in preserved form; fruits preserved in alcohol; fruits being processed, canned, dried or

preserved; fruit-based filling for cakes and pies; fruit-based fillings for cobblers; fruit-based food beverage; fruit-based meal replacement bars; fruit-based meal replacement bars for boosting energy; fruit-based organic food bars; fruit-based organic food bars, also containing fruits; fruit-based organic food bars, also containing dried fruits; fruit-based organic food bars, also containing fruit juice; fruit-based organic food bars, also containing grain; fruit-based organic food bars, also containing vegetables; fruit-based organic food bars, also containing nuts; fruit-based organic food bars, also containing seeds; fruit-based organic food bars, also containing chocolate; fruit-based raw food bars; fruit-based snack food; fruit-based spreads; garden salads; garlic-based spread; ghee; gherkins; glazed fruits; goat milk; gram flour being chick pea flour; grape seed oil for food; grapeseed oil; greek yogurt; ground almond; ground almonds; guacamole; guava paste; half and half, a milk and cream mixture; hardened oils being hydrogenated oil for food; hash brown potatoes; hazelnut spread; hemp milk used as a milk substitute; honey butter; hot chili pepper puree; hummus chick pea paste; husked peas; infused oils for cooking; instant or pre-cooked miso soup; instant or pre-cooked soup; instant or pre-cooked stew; instant potatoes; jams; jams and marmalades; jellies for bread spreads; jellies and jams; jellies for food; jellies; jams; jelly made from devils' tongue root being konnyaku; kefir; kelp being processed; kimchi being a fermented vegetable dish; lactic acid bacteria drinks; lactic acid drinks; lactose-free milk; lecithin for culinary purposes being a food additives for non-industrial use; legume salads; lemon curd; lemon juice for cooking purposes; linseed oil for culinary purposes; low-fat potato chips; maize oil; maraschino cherries; margarine; margarine substitutes; margarine, edible oils and fats; marinated vegetables; marmalade; marmalades; marmalades and jams; mascarpone; mashed potatoes; matzo ball soup; matzo balls in broth; milk; milk based beverages containing fruit juice; milk beverages containing fruits; milk beverages with high milk content; milk curd; milk drinks containing fruits; milk ferments for culinary purposes; milk powder; milk powder for food purposes; milk powder for nutritional purposes; milk products being processed; milk-based beverages being processed; milk shakes; milk solids; milk-based beverage containing coffee; milk-based beverages containing milk concentrates, vegetable oil and added nutrients; milk-based beverages with chocolate; milk-based beverages with high milk content; milk-based energy drinks; milled flax seeds; mixes for making broths; mixes for making soup; mold-ripened cheese; mortadella; moussaka; mozzarella sticks; mullet roe salad; mushrooms puree; non-alcoholic egg nog; non-alcoholic egg nog mixes; non-alcoholic fruit extracts for use as ingredients of nutritional supplements and vitamins; non-dairy based mix for making whipped toppings; non-dairy creamer; non-fat, low-carbohydrate, high-protein dairy-based mix for making non-dessert foods; nut and seed-based snack bars; nut butters; cashew nut butters; almond nut butters; nut cheese, namely, cheese-type product made from nuts; nut flours; nut meats; nut topping; nutmeats; nut-based milk; nut-based snack foods, namely, nut crisps; nut-based snack foods, namely, nut clusters; nut-based snack foods; nut-based spread; oil, namely, vegetable oil; oil, namely, salad oil; oil, namely, edible oil; oils and fats for food; oil-based cooking spray; olive oil; olive oil for food; olive oils; olive pastes; onion rings; organic cream; organic dairy products being processed; organic nut and seed-based snack bars; palm oil for food; parmesan cheese; peanut butter; peanut butter toppings; peanut oil for food; peanut paste; peanut spread; peanut-based food beverages; pectin for culinary purposes being a food additive; peeled tomatoes; pepper oil; piccalilli; pickle juice; pickled cucumbers; pickled fruits; pickled jalapenos; pickled radishes; pickled vegetables; pickled vegetables in soy sauce, soybean paste or vinegar; pickled watermelon rind; pickles; plantain chips; plantain flour; pollen prepared as foodstuff; potato chips; potato crisps; potato crisps and chips; potato dumplings; potato fries; potato fritters; potato pancakes; potato pudding; potato puffs; potato salad; potato skins; potato sticks; potato-based gnocchi; potato-based snack foods; powdered eggs; powdered milk; powdered milk for food purposes; powdered oils and fats for food; preparations for making broths; preparations for making soups; preparations for making soup; prepared and prepackaged meals and entrees consisting primarily of egg with one or more of vegetable, cheese or onion; prepared coconut; prepared entrees consisting primarily of vegetables, soups, fruit salads and vegetable salads; prepared food kits composed of vegetables and also including sauces or seasonings, ready for cooking and assembly as a meal; prepared meals consisting primarily of meat substitutes; prepared nuts; prepared pistachio; prepared walnuts; preserved fruit and vegetables; preserved fruits; preserved fruits and vegetables; preserved ginseng for use as a vegetable; preserved peas; preserved soya beans for food; preserved truffles; preserved vegetables in oil; preserved vegetables; preserved, dried and cooked olives; preserved, dried and cooked fruit and vegetables; preserved, dried and cooked vegetables; preserved, dried, cooked and grilled vegetables; preserved, frozen, dried or cooked vegetables; pre-cut vegetable salad; processed acai berries; processed algae for human consumption; processed almonds; processed anchovies; processed apples; processed apricots; processed artichokes; processed arugula; processed asparagus; processed avocados; processed bean sprouts; processed beans; processed bee pollen for food purposes; processed beets; processed blueberries; processed brussel sprouts; processed cabbage; processed cactus for food purposes; processed cheese; processed cherries; processed chia seeds; processed chickpeas; processed coconut; processed collard greens; processed dates; processed edamame; processed edible flowers; processed edible flowers in crystallized form; processed edible seeds; processed fruits; processed fruit-based and nut-based food bars; processed garbanzo beans; processed garlic used as a vegetable, not seasoning; processed ginseng for use as a vegetable; processed goji berries; processed grape leaves; processed hearts of palm; processed jicama; processed kola nuts; processed laver; processed lemongrass; processed lemons; processed lychee fruit; processed mangos; processed mushrooms; processed mustard greens; processed noni fruit; processed nuts; processed nuts, namely, almonds; processed nuts, namely, cashews; processed oils and fats for food; processed olive puree; processed olives; processed olives with peppercorns; processed onions; processed oranges; processed papayas; processed peaches; processed peanuts; processed peels; processed pepperoncinis; processed peppers; processed pignoli pine nuts; processed pimientos; processed plantain seeds; processed potatoes; processed pumpkin seeds; processed quince; processed radicchio; processed roots for human consumption; processed shallots being used as a vegetable; processed soy beans; processed spirulina; processed stuffed olives; processed sunflower seeds; processed sweet potatoes; processed vegetables and fruits; processed vegetables; processed vegetables, namely, cooked cucumber, daikon, mushrooms, bellflower root, spinach, soybean sprouts and bracken fern stems used in bibimbap dishes; processed yams; processed edible seaweed; prostokvasha being soured milk; protein milk; prunes; pulses; pumpkin butter; pumpkin seed oil; quail eggs; quenelles; raisins; rape oil for food; refried beans; refrigerated food package combinations consisting primarily of cheese or processed vegetables for purposes of creating a sandwich; rice bran oil for food; rice milk for use as a milk substitute; ripened cheese; ripened cheeses; roasted nuts; roasted nuts, namely, almonds; roasted nuts, namely, cashews; roasted nuts, namely, mixed nuts; roasted peanuts; romano cheese; ryazhenka being fermented baked milk; salad oil; salads; salads, namely, garden salads; salads, namely, fruit salads; salads, namely, vegetable salads, sandwich spreads; sandwich spreads, namely, fruits; sandwich spreads, namely, vegetables; seasoned vegetables; seasoned laver; seasoned nuts; seaweed extracts for food; sesame oil; shakes; sheep cheese; sheep milk; sheets

EXHIBIT H

of dried laver; shelled nuts; shortening; sliced fruits bagged; sliced fruits canned; sliced fruits bottled; sliced vegetables bagged; sliced vegetables canned; sliced vegetables bottled; sliced vegetables preserved in soy sauce, soybean paste or vinegar; smetana being processed sour cream; snack dips consisting primarily of processed foods; snack mix consisting primarily of processed fruits, processed nuts and/or raisins; snack mix consisting of dehydrated fruit and processed nuts; snack mix consisting primarily of dehydrated fruits, processed nuts and also including sesame sticks; snack mix consisting of wasabi peas, processed nuts, dehydrated fruit and/or raisins; snack mix consisting primarily of processed nuts and salted squash seeds and also including toasted corn; snack mix consisting of primarily of processed nuts, seeds, dried fruit and also including chocolate; soft cheese; soft white cheese; soft-ripened cheese; soup concentrates; soup mixes; soup pastes; soups; soups and preparations for making soups; sour cream; sour cream substitutes; soy bean oil for food; soy chips; soy milk; soybean milk; soybean oil; soybean oil for cooking; soy-based food bars; soy-based food bars also containing grain; soy-based food bars also containing dried fruits; soy-based food bars also containing chocolate; soy-based food bars also containing nuts; soy-based food beverage used as a milk substitute; soy-based snack foods; spicy nuts, namely, almonds; spicy nuts, namely, cashews; spicy nuts, namely, mixed nuts; spicy peanuts; spicy pickles; stewed fruit; stews; strained cheese; strained soft white cheeses; strawberry milk; stuffed olives with red pepper and almond; stuffed olives with feta cheese in sunflower oil; stuffed olives with pesto in sunflower oil; sunflower oil for food; tahini being sesame seed paste; tempura vegetables; tinned fruits; tinned vegetables and fruits; tinned olives; tinned tomatoes; tinned vegetables; toasted laver; toasted sheets of laver; toddler meals, namely frozen entrees consisting primarily of fruits and vegetables; toddler meals, namely, prepared entrees consisting primarily of fruits and vegetables; toddler meals, namely, packaged entrees consisting primarily of fruits and vegetables; tofu; tofu burger patties; tofu-based snacks; tomato extracts; tomato paste; tomato preserves; tomato puree; trail mix consisting primarily of processed nuts, seeds, dried fruit and also including chocolate; truffle juice; tzatziki; unflavored and unsweetened gelatins; vanilla milk; vegetable chips; vegetable juice for cooking; vegetable juices for cooking; vegetable mousse; vegetable oils; vegetable oils and fats for food; vegetable paste; vegetable pudding; vegetable puree; vegetable salads; vegetables in vinegar; vegetables, instant frozen; vegetables, processed; vegetables, frozen; vegetables, canned; vegetables, preserved; vegetable-based chocolate food beverages; vegetable-based cooking spray; vegetable-based food beverages; vegetable-based meat substitutes; vegetable-based raw food bars; vegetable-based snack foods; vegetable-based spreads; vegetarian sausages; verjus; whey; whey chips; whipped cream; whipped topping, dairy or non-dairy based; whipping cream; white cheese; white pudding; yam flour; yoghurt; yoghurt drinks; yoghurts; yogurt; yogurt drinks; yogurts; yogurt-based beverages; yucca chips ayurvedic nutraceuticals; acidophilus milk; appetizers; consisting primarily of vegetables; appetizers; consisting primarily of fruit; appetizers; consisting primarily of cheese; combination meal consisting primarily of a vegetable-based entrée; combination meal consisting primarily of a fruit-based entrée; condensed milk; mince consisting primarily of fruits and vegetables

Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

The applicant's current Attorney Information:

Surjit P. Soni and Ronald E. Perez of The Soni Law Firm
35 North Lake Avenue, Suite 720
Pasadena, California 91101
United States

The attorney docket/reference number is INDER-020T29.USA.

The applicant's current Correspondence Information:

Surjit P. Soni
The Soni Law Firm
35 North Lake Avenue, Suite 720
Pasadena, California 91101
(626) 683-7600(phone)
(626) 683-1199(fax)
surj@sonilaw.com;ron@sonilaw.com; cyrus@sonilaw.com (authorized)

A fee payment in the amount of \$325 has been submitted with the application, representing payment for 1 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Declaration Signature

EXHIBIT H

Signature: /Ronald E. Perez/ Date: 05/01/2013
Signatory's Name: Ronald E. Perez
Signatory's Position: Attorney of record, California bar member
RAM Sale Number: 85920241
RAM Accounting Date: 05/02/2013

Serial Number: 85920241
Internet Transmission Date: Wed May 01 14:58:28 EDT 2013
TEAS Stamp: USPTO/BAS-XXX.XXX.XXX.XXX-20130501145828
728569-85920241-500ba2052b1252f7844d631c
3ea4da9b5243e366bd7fd88f794588bd7fc99fe1
27-CC-1228-20130501144901861142

YOGI

Trademark/Service Mark Application, Principal Register

Serial Number: 86137651

Filing Date: 12/06/2013

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	86137651
MARK INFORMATION	
*MARK	YOGI
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	YOGI
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	Puri, Inderjit K
*STREET	35 N Lake Ave Suite 720
*CITY	Pasadena
*STATE (Required for U.S. applicants)	California
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	91101
PHONE	626 683 7600
LEGAL ENTITY INFORMATION	
TYPE	individual
COUNTRY OF CITIZENSHIP	United States
GOODS AND/OR SERVICES AND BASIS INFORMATION	
INTERNATIONAL CLASS	025
	anorak; anoraks for parkas; anti-perspirant socks; anti-sweat underclothing; anti-sweat underwear; apparel for dancers, namely, tee shirts, sweatshirts, pants, leggings, shorts and jackets; athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; athletic footwear; athletic pants; athletic shirts; athletic shoes; athletic shorts; athletic skirts; athletic tights; athletic uniforms; balloon pants; ballroom dancing shoes; ballroom dancing uniforms; bandanas; bandeau tops; beach coverups; beach cover-ups; beanies; bed jackets; belts for clothing; belts for clothing; belts made from imitation leather; belts made of leather; belts made out of cloth; belts of textile; belts that are designed to accommodate

pregnancy size changes; blazers; bloomers; blouses; blousons; board shorts; body linen for garments; body shapers; body shirts; body stockings; body suits; boleros; bolo ties; boxer briefs; boxer shorts; boxing shoes; boxing shorts; braces for suspenders; bralettes; bras; brassieres; breeches; breeches for wear; briefs; briefs for underwear; button down shirts; button-front aloha shirts; caftans; cagoules; camisettes; camisoles; camp shirts; canvas shoes; cap peaks; cap visors; capelets; capes; capes for use in salons and barber shops; capri pants; capris; caps for headwear; caps with visors; cardigans; cargo pants; cassocks; chemises; chemisettes; children's and infants' cloth bibs; children's and infant's apparel, namely, jumpers, overall sleepwear, pajamas, rompers and one-piece garments; children's and infants' apparel treated with fire and heat retardants, namely, jumpers, overall sleepwear, pajamas, rompers and one-piece garments; children's cloth eating bibs; children's headwear; choir robes; cloaks; clogs; clothing for athletic use, namely, padded shorts; clothing for athletic use, namely, padded pants; clothing for athletic use, namely, padded shirts; clothing for athletic use, namely, padded elbow compression sleeves being part of an athletic garment; clothing for babies, toddlers and children, treated with fire and heat retardants, namely, pajamas, jackets, shirts, pants, jumpers; clothing items, namely, blindfolds worn over the eyes; clothing items, namely, gags worn over the mouth; clothing shields, namely, pads applied to the underarms of shirts, blouses and sweaters; clothing, namely, shirts; clothing, namely, pants; clothing, namely, skirts; clothing, namely, arm warmers; clothing, namely, athletic sleeves; clothing, namely, base layers; clothing, namely, cowls and smoke ring scarves; clothing, namely, crops; clothing, namely, folk costumes; clothing, namely, hand-warmers; clothing, namely, khakis; clothing, namely, knee warmers; clothing, namely, maternity bands; clothing, namely, neck tubes; clothing, namely, thobes; clothing, namely, wrap-arounds; coats; coats for men and women; coats made of cotton; coats of denim; compression garments for athletic or other non-medical use, namely, compression socks; ; coats made of cotton; coats of denim; compression garments for athletic or other non-medical use, namely, stockings; compression garments for athletic or other non-medical use, namely, leggings; coats made of cotton; coats of denim; compression garments for athletic or other non-medical use, namely, jerseys; compression garments for athletic or other non-medical use, namely, vests; compression garments for athletic or other non-medical use, namely, trousers; corselets; corsets for foundation clothing; coveralls; coverups; crew neck sweaters; crew necks; crop pants; crop tops; cummerbunds; custom made to measure suits for men and women; dance costumes; dance shoes; dance slippers; denim jackets; denims for pants; drawers for clothing; dress pants; dress shields; dress shirts; dress suits; dresses; dresses, namely, prom dress; dresses, namely, cocktail dress; dressing gowns; dressing gowns and bath robes; dungarees; dust coats; dusters for clothing; evening dresses; evening gowns; fabric belts; fingerless gloves; fleece bottoms; fleece pullovers; fleece shorts; fleece tops; fleece vests; flight suits; flip flops for footwear; footwear; footwear excluding orthopedic footwear; footwear for men; footwear for men and women; footwear for women; footwear made of wood; footwear not for sports; foundation garments worn around the midsection or thighs to keep the stomach in and create a slimming effect; frocks;

***IDENTIFICATION**

girdles as foundation garments; gloves; gloves as clothing; gloves for apparel; gloves for personal hand conditioning use; headgear, namely, hats; headgear, namely, caps; headwear; heavy coats; heavy jackets; hooded pullovers; hooded sweat shirts; hooded sweatshirts; hooded sweatshirts for babies; hooded sweatshirts for adults; hooded sweatshirts for children; hooded sweatshirts for women; hooded sweatshirts for men; hoods; hoods for clothing; housecoats; infant and toddler one piece clothing; infant sleepers; infant wear; infant wearable blankets; infants' shoes and boots; infants' trousers; infant wear; jackets for clothing; jackets and socks; jackets made in whole or in substantial part of silk; jackets made in whole or in substantial part of wool; jackets made in whole or in substantial part of cashmere; jackets made in whole or in substantial part of cotton; jodhpurs; jogging pants; jogging suits; jump suits; jumper dresses; jumpers; jumpsuits; kaftans; knit bottoms; knit dresses; knit jackets; knit shirts; knit skirts; knit tops; knitted caps; knitted gloves; knitted underwear; ladies' underwear; leg shapers; leg shielding device, attachable to and detachable from a person's pants, comprised of padding to shield the legs from flying debris when mowing with a string trimmer; leg warmers; leggings; leggings being a variant of leggings; leg-warmers; leisure shoes; leisure suits; leotards; leotards and tights for women, men and children of nylon, cotton or other textile fibers; light-reflecting coats; light-reflecting jackets; lingerie; liveries for uniforms; loafers; long jackets; long johns; long sleeve pullovers; long sleeved vests; long underwear; long-sleeved shirts; lounge pants; loungewear; low wooden clogs being hiyori-geta; low wooden clogs being koma-geta; men's and women's jackets, coats, trousers, vests; men's dress socks; men's socks; men's suits; men's suits, women's suits; men's underwear; moccasins; mock turtle-neck sweaters; mocknecks; moisture-wicking sports shirts; moisture-wicking sports pants; moisture-wicking sports bras; money belts; mufflers; mufflers for clothing; muffs; muscle tops; muu muus; neck bands; night gowns; night shirts; nightcaps; nightdresses; nightgowns; nighties; nightshirts; nightwear; non-slip socks; non-slip soles for footwear; non-slip soles for footwear, namely, for slippers; non-slip soles for footwear, namely, for moccasins; one piece garment for infants and toddlers; one-piece garments for children; one-piece play suits; open-necked shirts; outdoor gloves; outdoor mittens; outer jackets; over coats; over shirts; overalls; overalls for use in salons and barber shops; overcoats; overshoes; over-trousers; padded jackets; padding jackets; pajama bottoms; pajamas; pajamas treated with fire and heat retardants; pantaloons; panties; pants; shorts and briefs; pants; pantsuits; pantyhose; parkas; pedal pushers; petticoats; petti-pants; pinafore dresses; pinafores; pinnies in the nature of scrimmage vests for use in sports; pique shirts; polo knit tops; polo shirts; ponchos; pram suits; pullovers; pumps for footwear; pyjamas made from tricot only; quilted vests; race number belts that hold a paper number on the race participant's front or back during competition; rain boots; rain coats; rain hats; rain jackets; rain slickers; rain suits; rain trousers; rain wear; raincoats; rainproof jackets; rainwear; robes; running shoes; running suits; sandals; sandals and beach shoes; sandal-clogs; sarees; saris; sarongs; scarfs; scarves; serapes; shawls; shawls made from tricot only; shawls and headscarves; shawls and stoles; shirts; shirts and short-sleeved shirts; shirts and slips; shirts for infants, babies, toddlers and children; shirts for suits;

	short petticoats; short sets for clothing; short trousers; shortalls; shorts; short-sleeved or long-sleeved t-shirts; short-sleeved shirts; shoulder scarves; shoulder wraps for clothing; shoulder wraps for clothing; shrugs; silk scarves; singlets; skirt suits; skirts; skirts and dresses; skorts; slacks; sleep pants; sleep shirts; sleeping garments; sleepwear; sleepwear treated with fire and heat retardants; sleeved or sleeveless jackets; sleeveless jerseys; sleeves worn separate and apart from blouses, shirts and other tops; sliding shorts; slipovers; slipper socks; slipper soles; slippers; slips; small hats; smocks; sneakers; socks; socks and stockings; sport coats; sport shirts; sport stockings; sports pants; sports shirts; sports shirts with short sleeves; sports vests; stockings; stockings that are sweat-absorbent; stoles; stretch pants; swaddling clothes; sweat jackets; sweat pants; sweat shirts; sweat shorts; sweat suits; sweatbands; sweaters; sweaters made in whole or in substantial part of silk; sweaters made in whole or in substantial part of wool; sweaters made in whole or in substantial part of cashmere; sweaters made in whole or in substantial part of cotton; sweatpants; sweatshirts; sweatshirts for babies; sweatshirts for adults; sweatshirts for children; sweatshirts for women; sweatshirts for men; sweatsocks; sweatsuits; tank tops; tank-tops; tap shoes; thermal socks; thermal underwear; thongs for footwear; thongs for underwear; top coats; topcoats; tops for clothing; track pants; track suits; tracksuits; training shoes; training suits; travel clothing contained in a package comprising reversible jackets, pants, skirts, tops and a belt or scarf; trekking boots; trench coats; trousers; trousers for sweating; trousers of leather; trunks; tube tops; tunics; tuques; turbans; turtle neck shirts; turtleneck pullovers; turtleneck sweaters; turtlenecks; t-shirts; t-shirts for babies; t-shirts for adults; t-shirts for children; t-shirts for women; t-shirts for men; under garments; underclothes; underclothing; undergarments; undergarments, namely, waspies; underpants; undershirts; undershirts; underwear; underwear, namely, boy shorts; uniforms; union suits; unitards; veils; vest extenders; vested suits; vests; v-neck sweaters; waist bands; waist belts; warm up outfits; warm up suits; warm-up suits; wearable garments and clothing, namely, shirts; women's hats and hoods; women's shoes; women's shoes, namely, foldable flats; women's tops, namely, camis; women's underwear; wooden shoes for footwear; wooden supports of Japanese style wooden clogs; woolen socks; woolen tights; woolly hats; woven bottoms; woven dresses; woven or knitted underwear; woven skirts; woven tops; yoga pants; yoga shirts
FILING BASIS	SECTION 1(b)
ATTORNEY INFORMATION	
NAME	Michael A. Long
ATTORNEY DOCKET NUMBER	INDER-20T25.USA
FIRM NAME	The Soni Law Firm
INTERNAL ADDRESS	35 North Lake Avenue
STREET	35 N Lake Ave Suite 720
CITY	Pasadena
STATE	California
COUNTRY	United States

EXHIBIT I

ZIP/POSTAL CODE	91101
PHONE	626 683 7600
EMAIL ADDRESS	mike@sonilaw.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
CORRESPONDENCE INFORMATION	
NAME	Michael A. Long
FIRM NAME	The Soni Law Firm
INTERNAL ADDRESS	35 North Lake Avenue
STREET	35 N Lake Ave Suite 720
CITY	Pasadena
STATE	California
COUNTRY	United States
ZIP/POSTAL CODE	91101
PHONE	626 683 7600
EMAIL ADDRESS	mike@sonilaw.com;cassandra@sonilaw.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
FEE INFORMATION	
NUMBER OF CLASSES	1
FEE PER CLASS	325
*TOTAL FEE DUE	325
*TOTAL FEE PAID	325
SIGNATURE INFORMATION	
SIGNATURE	/Michael A. Long/
SIGNATORY'S NAME	Michael A. Long
SIGNATORY'S POSITION	Attorney of record, CA bar member
DATE SIGNED	12/06/2013

Trademark/Service Mark Application, Principal Register

Serial Number: 86137651

Filing Date: 12/06/2013

To the Commissioner for Trademarks:

MARK: YOGI (Standard Characters, see [mark](#))

The literal element of the mark consists of YOGI.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, Inderjit K Puri, a citizen of United States, having an address of
35 N Lake Ave Suite 720
Pasadena, California 91101
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 025: anorak; anoraks for parkas; anti-perspirant socks; anti-sweat underclothing; anti-sweat underwear; apparel for dancers, namely, tee shirts, sweatshirts, pants, leggings, shorts and jackets; athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; athletic footwear; athletic pants; athletic shirts; athletic shoes; athletic shorts; athletic skirts; athletic tights; athletic uniforms; balloon pants; ballroom dancing shoes; ballroom dancing uniforms; bandanas; bandeau tops; beach coverups; beach cover-ups; beanies; bed jackets; belts for clothing; belts for clothing; belts made from imitation leather; belts made of leather; belts made out of cloth; belts of textile; belts that are designed to accommodate pregnancy size changes; blazers; bloomers; blouses; blousons; board shorts; body linen for garments; body shapers; body shirts; body stockings; body suits; boleros; bolo ties; boxer briefs; boxer shorts; boxing shoes; boxing shorts; braces for suspenders; bralettes; bras; brassieres; breeches; breeches for wear; briefs; briefs for underwear; button down shirts; button-front aloha shirts; caftans; cagoules; camisettes; camisoles; camp shirts; canvas shoes; cap peaks; cap visors; capelets; capes; capes for use in salons and barber shops; capri pants; capris; caps for headwear; caps with visors; cardigans; cargo pants; cassocks; chemises; chemisettes; children's and infants' cloth bibs; children's and infant's apparel, namely, jumpers, overall sleepwear, pajamas, rompers and one-piece garments; children's and infants' apparel treated with fire and heat retardants, namely, jumpers, overall sleepwear, pajamas, rompers and one-piece garments; children's cloth eating bibs; children's headwear; choir robes; cloaks; clogs; clothing for athletic use, namely, padded shorts; clothing for athletic use, namely, padded pants; clothing for athletic use, namely, padded shirts; clothing for athletic use, namely, padded elbow compression sleeves being part of an athletic garment; clothing for babies, toddlers and children, treated with fire and heat retardants, namely, pajamas, jackets, shirts, pants, jumpers; clothing items, namely, blindfolds worn over the eyes; clothing items, namely, gags worn over the mouth; clothing shields, namely, pads applied to the underarms of shirts, blouses and sweaters; clothing, namely, shirts; clothing, namely, pants; clothing, namely, skirts; clothing, namely, arm warmers; clothing, namely, athletic sleeves; clothing, namely, base layers; clothing, namely, cowls and smoke ring scarves; clothing, namely, crops; clothing, namely, folk costumes; clothing, namely, hand-warmers; clothing, namely, khakis; clothing, namely, knee warmers; clothing, namely, maternity bands; clothing, namely, neck tubes; clothing, namely, thobes; clothing, namely, wrap-arounds; coats; coats for men and women; coats made of cotton; coats of denim; compression garments for athletic or other non-medical use, namely, compression socks; ; coats made of cotton; coats of denim; compression garments for athletic or other non-medical use, namely, stockings; compression garments for athletic or other non-medical use, namely, leggings; coats made of cotton; coats of denim; compression garments for athletic or other non-medical use, namely, jerseys; compression garments for athletic or other non-medical use, namely, vests; compression garments for athletic or other non-medical use, namely, trousers; corselets; corsets for foundation clothing; coveralls; coverups; crew neck sweaters; crew necks; crop pants; crop tops; cummerbunds; custom made to measure suits for men and women; dance costumes; dance shoes; dance slippers; denim jackets; denims for pants; drawers for clothing; dress pants; dress shields; dress shirts; dress suits; dresses; dresses, namely, prom dress; dresses, namely, cocktail dress; dressing gowns; dressing gowns and bath robes; dungarees; dust coats; dusters for clothing; evening dresses; evening gowns; fabric belts; fingerless gloves; fleece bottoms; fleece pullovers; fleece shorts; fleece tops; fleece vests; flight suits; flip flops for footwear; footwear; footwear excluding orthopedic footwear; footwear for men; footwear for men and women; footwear for women; footwear made of wood; footwear not for sports; foundation garments worn around the midsection or thighs to keep the stomach in and create a slimming effect; frocks; girdles as foundation garments; gloves; gloves as clothing; gloves for apparel; gloves for personal hand conditioning use; headgear, namely, hats; headgear, namely, caps; headwear; heavy coats; heavy jackets; hooded pullovers; hooded sweat shirts; hooded sweatshirts; hooded sweatshirts for babies; hooded sweatshirts for adults; hooded sweatshirts for children; hooded sweatshirts for women; hooded sweatshirts for men; hoods; hoods for clothing; housecoats; infant and toddler one piece clothing; infant sleepers; infant wear; infant wearable blankets; infants' shoes and boots; infants' trousers; infant wear; jackets for clothing; jackets and socks; jackets made in whole or in substantial part of silk; jackets made in whole or in substantial part of wool; jackets made in whole or in substantial part of cashmere; jackets

made in whole or in substantial part of cotton; jodhpurs; jogging pants; jogging suits; jump suits; jumper dresses; jumpers; jumpsuits; kaftans; knit bottoms; knit dresses; knit jackets; knit shirts; knit skirts; knit tops; knitted caps; knitted gloves; knitted underwear; ladies' underwear; leg shapers; leg shielding device, attachable to and detachable from a person's pants, comprised of padding to shield the legs from flying debris when mowing with a string trimmer; leg warmers; leggings; leggings being a variant of leggings; leg-warmers; leisure shoes; leisure suits; leotards; leotards and tights for women, men and children of nylon, cotton or other textile fibers; light-reflecting coats; light-reflecting jackets; lingerie; liveries for uniforms; loafers; long jackets; long johns; long sleeve pullovers; long sleeved vests; long underwear; long-sleeved shirts; lounge pants; loungewear; low wooden clogs being hiyori-geta; low wooden clogs being koma-geta; men's and women's jackets, coats, trousers, vests; men's dress socks; men's socks; men's suits; men's suits, women's suits; men's underwear; moccasins; mock turtle-neck sweaters; mocknecks; moisture-wicking sports shirts; moisture-wicking sports pants; moisture-wicking sports bras; money belts; mufflers; mufflers for clothing; muffs; muscle tops; muu muus; neck bands; night gowns; night shirts; nightcaps; nightdresses; nightgowns; nighties; nightshirts; nightwear; non-slip socks; non-slip soles for footwear; non-slip soles for footwear, namely, for slippers; non-slip soles for footwear, namely, for moccasins; one piece garment for infants and toddlers; one-piece garments for children; one-piece play suits; open-necked shirts; outdoor gloves; outdoor mittens; outer jackets; over coats; over shirts; overalls; overalls for use in salons and barber shops; overcoats; overshoes; over-trousers; padded jackets; padding jackets; pajama bottoms; pajamas; pajamas treated with fire and heat retardants; pantaloons; panties; panties, shorts and briefs; pants; pantsuits; pantyhose; parkas; pedal pushers; petticoats; petti-pants; pinafore dresses; pinafores; pinnies in the nature of scrimmage vests for use in sports; pique shirts; polo knit tops; polo shirts; ponchos; pram suits; pullovers; pumps for footwear; pyjamas made from tricot only; quilted vests; race number belts that hold a paper number on the race participant's front or back during competition; rain boots; rain coats; rain hats; rain jackets; rain slickers; rain suits; rain trousers; rain wear; raincoats; rainproof jackets; rainwear; robes; running shoes; running suits; sandals; sandals and beach shoes; sandal-clogs; sarees; saris; sarongs; scarfs; scarves; serapes; shawls; shawls made from tricot only; shawls and headscarves; shawls and stoles; shirts; shirts and short-sleeved shirts; shirts and slips; shirts for infants, babies, toddlers and children; shirts for suits; short petticoats; short sets for clothing; short trousers; shortalls; shorts; short-sleeved or long-sleeved t-shirts; short-sleeved shirts; shoulder scarves; shoulder wraps for clothing; shoulder wraps for clothing; shrugs; silk scarves; singlets; skirt suits; skirts; skirts and dresses; skorts; slacks; sleep pants; sleep shirts; sleeping garments; sleepwear; sleepwear treated with fire and heat retardants; sleeved or sleeveless jackets; sleeveless jerseys; sleeves worn separate and apart from blouses, shirts and other tops; sliding shorts; slipovers; slipper socks; slipper soles; slippers; slips; small hats; smocks; sneakers; socks; socks and stockings; sport coats; sport shirts; sport stockings; sports pants; sports shirts; sports shirts with short sleeves; sports vests; stockings; stockings that are sweat-absorbent; stoles; stretch pants; swaddling clothes; sweat jackets; sweat pants; sweat shirts; sweat shorts; sweat suits; sweatbands; sweaters; sweaters made in whole or in substantial part of silk; sweaters made in whole or in substantial part of wool; sweaters made in whole or in substantial part of cashmere; sweaters made in whole or in substantial part of cotton; sweatpants; sweatshirts; sweatshirts for babies; sweatshirts for adults; sweatshirts for children; sweatshirts for women; sweatshirts for men; sweatsocks; sweatsuits; tank tops; tank-tops; tap shoes; thermal socks; thermal underwear; thongs for footwear; thongs for underwear; top coats; topcoats; tops for clothing; track pants; track suits; tracksuits; training shoes; training suits; travel clothing contained in a package comprising reversible jackets, pants, skirts, tops and a belt or scarf; trekking boots; trench coats; trousers; trousers for sweating; trousers of leather; trunks; tube tops; tunics; tuques; turbans; turtle neck shirts; turtleneck pullovers; turtleneck sweaters; turtlenecks; t-shirts; t-shirts for babies; t-shirts for adults; t-shirts for children; t-shirts for women; t-shirts for men; under garments; underclothes; underclothing; undergarments; undergarments, namely, waspies; underpants; undershirts; underskirts; underwear; underwear, namely, boy shorts; uniforms; union suits; unitards; veils; vest extenders; vested suits; vests; v-neck sweaters; waist bands; waist belts; warm up outfits; warm up suits; warm-up suits; wearable garments and clothing, namely, shirts; women's hats and hoods; women's shoes; women's shoes, namely, foldable flats; women's tops, namely, camis; women's underwear; wooden shoes for footwear; wooden supports of Japanese style wooden clogs; woolen socks; woolen tights; woolly hats; woven bottoms; woven dresses; woven or knitted underwear; woven skirts; woven tops; yoga pants; yoga shirts

Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

The applicant's current Attorney Information:

Michael A. Long of The Soni Law Firm

35 North Lake Avenue
35 N Lake Ave Suite 720
Pasadena, California 91101
United States

The attorney docket/reference number is INDER-20T25.USA.

The applicant's current Correspondence Information:

Michael A. Long
The Soni Law Firm
35 North Lake Avenue
35 N Lake Ave Suite 720
Pasadena, California 91101
626 683 7600(phone)
mike@sonilaw.com;cassandra@sonilaw.com (authorized)

A fee payment in the amount of \$325 has been submitted with the application, representing payment for 1 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Declaration Signature

Signature: /Michael A. Long/ Date: 12/06/2013

Signatory's Name: Michael A. Long

Signatory's Position: Attorney of record, CA bar member

RAM Sale Number: 86137651

RAM Accounting Date: 12/09/2013

Serial Number: 86137651

Internet Transmission Date: Fri Dec 06 20:19:10 EST 2013

TEAS Stamp: USPTO/BAS-XXX.XXX.XXX.XXX-20131206201910

812976-86137651-500f089d3cdf9a9eda6e7d0

16597aef6bab6d5aae51a3a323f55b88462f64f1

a-CC-7240-20131206201042256097

YOGI

Generated on: This page was generated by TSDR on 2016-06-27 13:23:38 EDT

Mark: BAD YOGI

BAD YOGI

US Serial Number: 86432152

Application Filing Date: Oct. 23, 2014

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark, Service Mark

Status: An opposition after publication is pending at the Trademark Trial and Appeal Board. For further information, see TTABVue on the Trademark Trial and Appeal Board web page.

Status Date: May 06, 2015

Publication Date: Apr. 07, 2015

Mark Information

Mark Literal Elements: BAD YOGI

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "YOGI"

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Athletic tops and bottoms for yoga; Graphic T-shirts

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 01, 2013

Use in Commerce: Aug. 01, 2013

For: Providing on-line videos featuring yoga instruction, not downloadable

International Class(es): 041 - Primary Class

U.S Class(es): 100, 101, 107

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 01, 2013

Use in Commerce: Jun. 01, 2013

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

EXHIBIT J

Current Owner(s) Information

Owner Name: Bad Yogi LLC

Owner Address: 10422 La Mirage Court
Tampa, FLORIDA 33615
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country FLORIDA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Rachel M. Feinman, Esq.

Docket Number: 14383.001

Attorney Primary rachel.feinman@hwhlaw.com
Email Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent DAVID L LUIKART
Name/Address: HILL WARD HENDERSON
101 E KENNEDY BLVD SUITE 3700
PO BOX 2231
TAMPA, FLORIDA 33602-5195
UNITED STATES

Phone: 8132213900

Fax: 8132212900

Correspondent e-mail: rachel.feinman@hwhlaw.com christina.allen@hwhlaw.com
law.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 06, 2015	OPPOSITION INSTITUTED NO. 999999	221837
May 06, 2015	OPPOSITION PAPERS RECEIVED AT TTAB	
Apr. 07, 2015	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 07, 2015	PUBLISHED FOR OPPOSITION	
Mar. 18, 2015	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Mar. 03, 2015	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Mar. 03, 2015	ASSIGNED TO LIE	66213
Feb. 11, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 11, 2015	EXAMINER'S AMENDMENT ENTERED	88888
Feb. 11, 2015	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Feb. 11, 2015	EXAMINERS AMENDMENT E-MAILED	6328
Feb. 11, 2015	EXAMINERS AMENDMENT -WRITTEN	82426
Feb. 11, 2015	ASSIGNED TO EXAMINER	82426
Oct. 30, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Oct. 27, 2014	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: GLASSER, CARYN

Law Office LAW OFFICE 108
Assigned:

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Mar. 03, 2015

Proceedings

Summary

Number of 1
Proceedings:

Type of Proceeding: Opposition

Proceeding Number: [91221837](#)**Filing Date:** May 06, 2015**Status:** Pending**Status Date:** May 06, 2015**Interlocutory Attorney:** ANDREW P BAXLEY**Defendant****Name:** Bad Yogi LLC**Correspondent Address:** DAVID L LUIKART
HILL WARD HENDERSON
101 E KENNEDY BLVD SUITE 3700, PO BOX 2231
TAMPA FL , 33602-5195
UNITED STATES**Correspondent e-mail:** rachel.feinman@hwhlaw.com; christina.all**Associated marks**

Mark	Application Status	Serial Number	Registration Number
BAD YOGI	Opposition Pending	86432152	

Plaintiff(s)**Name:** Bibiji Inderjit K Puri**Correspondent Address:** MICHAEL A LONG
THE SONI LAW FIRM
116 SOUTH EUCLID AVENUE
PASADENA CA , 91101
UNITED STATES**Correspondent e-mail:** michael@sonilaw.com , surj@sonilaw.com , cassandra@sonilaw.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
YOGI TEA	Renewed	74578588	1980514
LITTLE YOGIS	Registered	78981587	4412548
YOGI	Opposition Pending	85942810	
YOGI	Report Completed Suspension Check - Case Still Suspended	86137651	
YOGI OIL	Abandoned - No Statement Of Use Filed	77871656	
YOGI NUT	Registered	77784202	4961890

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 07, 2015	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 06, 2015	Jun 15, 2015
3	PENDING, INSTITUTED	May 06, 2015	
4	ANSWER	Jun 15, 2015	
5	P OPP/RESP TO MOTION	Jun 29, 2015	
6	PROCEEDINGS RESUMED	Aug 07, 2015	
7	P NOTICE OF RELIANCE	Feb 24, 2016	

From: TMOOfficialNotices@USPTO.GOV
Sent: Tuesday, April 7, 2015 00:38 AM
To: rachel.feinman@hwhlaw.com
Cc: christina.allen@hwhlaw.com
Subject: Official USPTO Notice of Publication Confirmation: U.S. Trademark SN 86432152: BAD YOGI: Docket/Reference No. 14383.001

TRADEMARK OFFICIAL GAZETTE PUBLICATION CONFIRMATION

U.S. Serial Number: 86432152
Mark: BAD YOGI
International Class(es): 025, 041
Owner: Bad Yogi LLC
Docket/Reference Number: 14383.001

The mark identified above has been published in the Trademark Official Gazette (TMOG) on Apr 07, 2015.

To Review the Mark in the TMOG:

Click on the following link or paste the URL into an internet browser: <https://tmog.uspto.gov/#issueDate=2015-04-07&serialNumber=86432152>

On the publication date or shortly thereafter, the applicant should carefully review the information that appears in the TMOG for accuracy. If any information is incorrect due to USPTO error, the applicant should immediately email the requested correction to TMPostPubQuery@uspto.gov. For applicant corrections or amendments after publication, please file a post publication amendment using the form available at <http://teasroa.uspto.gov/ppa/>. For general information about this notice, please contact the Trademark Assistance Center at 1-800-786-9199.

Significance of Publication for Opposition:

- * Any party who believes it will be damaged by the registration of the mark may file a notice of opposition (or extension of time therefor) with the Trademark Trial and Appeal Board. If no party files an opposition or extension request within thirty (30) days after the publication date, then eleven (11) weeks after the publication date a certificate of registration should issue.

To check the status of the application, go to http://tsdr.uspto.gov/#caseNumber=86432152&caseType=SERIAL_NO&searchType=statusSearch or contact the Trademark Assistance Center at 1-800-786-9199. Please check the status of the application at least every three (3) months after the application filing date.

To view this notice and other documents for this application on-line, go to http://tsdr.uspto.gov/#caseNumber=86432152&caseType=SERIAL_NO&searchType=documentSearch. NOTE: This notice will only become available on-line the next business day after receipt of this e-mail.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451
www.uspto.gov

Mar 18, 2015

NOTICE OF PUBLICATION

- | | |
|---------------------------------------|---|
| 1. Serial No.:
86-432,152 | 2. Mark:
BAD YOGI
(STANDARD CHARACTER MARK) |
| 3. International Class(es):
25, 41 | |
| 4. Publication Date:
Apr 7, 2015 | 5. Applicant:
Bad Yogi LLC |

The mark of the application identified appears to be entitled to registration. The mark will, in accordance with Section 12(a) of the Trademark Act of 1946, as amended, be published in the *Official Gazette* on the date indicated above for the purpose of opposition by any person who believes he will be damaged by the registration of the mark. If no opposition is filed within the time specified by Section 13(a) of the Statute or by rules 2.101 or 2.102 of the Trademark Rules, the Commissioner of Patents and Trademarks may issue a certificate of registration.

Copies of the trademark portion of the *Official Gazette* containing the publication of the mark may be obtained from:

The Superintendent of Documents
U.S. Government Printing Office
PO Box 371954
Pittsburgh, PA 15250-7954
Phone: 202-512-1800

By direction of the Commissioner.

Email Address(es):

rachel.feinman@hwhlaw.com
christina.allen@hwhlaw.com

From: TMOOfficialNotices@USPTO.GOV
Sent: Wednesday, March 18, 2015 03:38 AM
To: rachel.feinman@hwhlaw.com
Cc: christina.allen@hwhlaw.com
Subject: Official USPTO Notification of Notice of Publication: U.S. Trademark SN 86432152: BAD YOGI: Docket/Reference No. 14383.001

NOTIFICATION OF "NOTICE OF PUBLICATION"

Your trademark application (Serial No. 86432152) is scheduled to publish in the *Official Gazette* on Apr 7, 2015 . To preview the Notice of Publication, go to <http://tdr.uspto.gov/search.action?sn=86432152>. If you have difficulty accessing the Notice of Publication, contact TDR@uspto.gov.

PLEASE NOTE:

1. The Notice of Publication may not be immediately available but will be viewable within 24 hours of this e-mail notification.
2. You will receive a second e-mail on the actual "Publication Date," which will include a link to the issue of the *Official Gazette* in which the mark has published.

Do NOT hit "Reply" to this e-mail notification. If you have any questions about the content of the Notice of Publication, contact TMPostPubQuery@uspto.gov.

Trademark Snap Shot Publication & Issue Review Stylesheet
(Table presents the data on Publication & Issue Review Complete)

OVERVIEW

SERIAL NUMBER	86432152	FILING DATE	10/23/2014
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	GLASSER, CARYN	L.O. ASSIGNED	108

PUB INFORMATION

RUN DATE	03/04/2015		
PUB DATE	04/07/2015		
STATUS	681-PUBLICATION/ISSUE REVIEW COMPLETE		
STATUS DATE	03/03/2015		
LITERAL MARK ELEMENT	BAD YOGI		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

MARK DATA

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	BAD YOGI
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Bad Yogi LLC
ADDRESS	10422 La Mirage Court Tampa, FL 33615
ENTITY	16-LTD LIAB CO

CITIZENSHIP		Florida					
GOODS AND SERVICES							
INTERNATIONAL CLASS		025					
DESCRIPTION TEXT		Athletic tops and bottoms for yoga; Graphic T-shirts					
INTERNATIONAL CLASS		041					
DESCRIPTION TEXT		Providing on-line videos featuring yoga instruction, not downloadable					
GOODS AND SERVICES CLASSIFICATION							
INTERNATIONAL CLASS	025	FIRST USE DATE	08/01/2013	FIRST USE IN COMMERCE DATE	08/01/2013	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	041	FIRST USE DATE	06/01/2013	FIRST USE IN COMMERCE DATE	06/01/2013	CLASS STATUS	6-ACTIVE
MISCELLANEOUS INFORMATION/STATEMENTS							
CHANGE IN REGISTRATION				NO			
DISCLAIMER W/PREDETER TXT				"YOGI"			
PROSECUTION HISTORY							
DATE	ENT CD	ENT TYPE	DESCRIPTION				ENT NUM
03/03/2015	PREV	O	LAW OFFICE PUBLICATION REVIEW COMPLETED				010
03/03/2015	ALIE	A	ASSIGNED TO LIE				009
02/11/2015	CNSA	O	APPROVED FOR PUB - PRINCIPAL REGISTER				008
02/11/2015	XAEC	I	EXAMINER'S AMENDMENT ENTERED				007
02/11/2015	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED				006
02/11/2015	GNEA	F	EXAMINERS AMENDMENT E-MAILED				005
02/11/2015	CNEA	R	EXAMINERS AMENDMENT -WRITTEN				004
02/11/2015	DOCK	D	ASSIGNED TO EXAMINER				003
10/30/2014	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM				002
10/27/2014	NWAP	I	NEW APPLICATION ENTERED IN TRAM				001
CURRENT CORRESPONDENCE INFORMATION							
ATTORNEY				Rachel M. Feinman, Esq.			
CORRESPONDENCE ADDRESS				RACHEL M. FEINMAN, ESQ. HILL WARD HENDERSON 101 E KENNEDY BLVD STE 3700 TAMPA, FL 33602-5195			
DOMESTIC REPRESENTATIVE				NONE			

BAD YOGI

Trademark Snap Shot Publication Stylesheet
(Table presents the data on Publication Approval)

OVERVIEW

SERIAL NUMBER	86432152	FILING DATE	10/23/2014
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	GLASSER, CARYN	L.O. ASSIGNED	108

PUB INFORMATION

RUN DATE	02/12/2015		
PUB DATE	N/A		
STATUS	680-APPROVED FOR PUBLICATON		
STATUS DATE	02/11/2015		
LITERAL MARK ELEMENT	BAD YOGI		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

MARK DATA

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	BAD YOGI
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Bad Yogi LLC
ADDRESS	10422 La Mirage Court Tampa, FL 33615
ENTITY	16-LTD LIAB CO

CITIZENSHIP		Florida					
GOODS AND SERVICES							
INTERNATIONAL CLASS		025					
DESCRIPTION TEXT		Athletic tops and bottoms for yoga; Graphic T-shirts					
INTERNATIONAL CLASS		041					
DESCRIPTION TEXT		Providing on-line videos featuring yoga instruction, not downloadable					
GOODS AND SERVICES CLASSIFICATION							
INTERNATIONAL CLASS	025	FIRST USE DATE	08/01/2013	FIRST USE IN COMMERCE DATE	08/01/2013	CLASS STATUS	6-ACTIVE
INTERNATIONAL CLASS	041	FIRST USE DATE	06/01/2013	FIRST USE IN COMMERCE DATE	06/01/2013	CLASS STATUS	6-ACTIVE
MISCELLANEOUS INFORMATION/STATEMENTS							
CHANGE IN REGISTRATION				NO			
DISCLAIMER W/PREDETER TXT				"YOGI"			
PROSECUTION HISTORY							
DATE	ENT CD	ENT TYPE	DESCRIPTION				ENT NUM
02/11/2015	CNSA	O	APPROVED FOR PUB - PRINCIPAL REGISTER				008
02/11/2015	XAEC	I	EXAMINER'S AMENDMENT ENTERED				007
02/11/2015	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED				006
02/11/2015	GNEA	F	EXAMINERS AMENDMENT E-MAILED				005
02/11/2015	CNEA	R	EXAMINERS AMENDMENT -WRITTEN				004
02/11/2015	DOCK	D	ASSIGNED TO EXAMINER				003
10/30/2014	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM				002
10/27/2014	NWAP	I	NEW APPLICATION ENTERED IN TRAM				001
CURRENT CORRESPONDENCE INFORMATION							
ATTORNEY				Rachel M. Feinman, Esq.			
CORRESPONDENCE ADDRESS				RACHEL M. FEINMAN, ESQ. HILL WARD HENDERSON 101 E KENNEDY BLVD STE 3700 TAMPA, FL 33602-5195			
DOMESTIC REPRESENTATIVE				NONE			

BAD YOGI

Trademark Snap Shot Amendment & Mail Processing Stylesheet
(Table presents the data on Amendment & Mail Processing Complete)

OVERVIEW

SERIAL NUMBER	86432152	FILING DATE	10/23/2014
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	TRADEMARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	GLASSER, CARYN	L.O. ASSIGNED	108

PUB INFORMATION

RUN DATE	02/12/2015		
PUB DATE	N/A		
STATUS	680-APPROVED FOR PUBLICATON		
STATUS DATE	02/11/2015		
LITERAL MARK ELEMENT	BAD YOGI		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	REPUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

MARK DATA

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	BAD YOGI
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
NAME	Bad Yogi LLC
ADDRESS	10422 La Mirage Court Tampa, FL 33615
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GOODS AND SERVICES							
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MISCELLANEOUS INFORMATION/STATEMENTS							
CHANGE IN REGISTRATION		NO					
DISCLAIMER W/PREDETER TXT		"YOGI"					
PROSECUTION HISTORY							
DATE	ENT CD	ENT TYPE	DESCRIPTION				ENT NUM
02/11/2015	CNSA	O	APPROVED FOR PUB - PRINCIPAL REGISTER				008
02/11/2015	XAEC	I	EXAMINER'S AMENDMENT ENTERED				007
02/11/2015	GNEN	O	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED				006
02/11/2015	GNEA	F	EXAMINERS AMENDMENT E-MAILED				005
02/11/2015	CNEA	R	EXAMINERS AMENDMENT -WRITTEN				004
02/11/2015	DOCK	D	ASSIGNED TO EXAMINER				003
10/30/2014	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM				002
10/27/2014	NWAP	I	NEW APPLICATION ENTERED IN TRAM				001
CURRENT CORRESPONDENCE INFORMATION							
ATTORNEY		Rachel M. Feinman, Esq.					
CORRESPONDENCE ADDRESS		RACHEL M. FEINMAN, ESQ. HILL WARD HENDERSON 101 E KENNEDY BLVD STE 3700 TAMPA, FL 33602-5195					
DOMESTIC REPRESENTATIVE		NONE					

BAD YOGI

To: Bad Yogi LLC (rachel.feinman@hwhlaw.com)
Subject: U.S. TRADEMARK APPLICATION NO. 86432152 - BAD YOGI - 14383.001
Sent: 2/11/2015 5:13:46 PM
Sent As: ECOM108@USPTO.GOV
Attachments:

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

U.S. APPLICATION SERIAL NO. 86432152 MARK: BAD YOGI	 *86432152*
CORRESPONDENT ADDRESS: RACHEL M. FEINMAN, ESQ. HILL WARD HENDERSON 101 E KENNEDY BLVD STE 3700 TAMPA, FL 33602-5195	CLICK HERE TO RESPOND TO THIS LETTER: http://www.uspto.gov/trademarks/index.jsp VIEW YOUR APPLICATION FILE
APPLICANT: Bad Yogi LLC	
CORRESPONDENT'S REFERENCE/DOCKET NO: 14383.001 CORRESPONDENT E-MAIL ADDRESS: rachel.feinman@hwhlaw.com	

EXAMINER'S AMENDMENT

ISSUE/MAILING DATE: 2/11/2015

DATABASE SEARCH: The trademark examining attorney has searched the USPTO's database of registered and pending marks and has found no conflicting marks that would bar registration under Trademark Act Section 2(d). TMEP §704.02; *see* 15 U.S.C. §1052(d).

APPLICATION HAS BEEN AMENDED: In accordance with the authorization granted by Rachel M. Feinman, Esq. on February 11, 2015, the trademark examining attorney has amended the application as indicated below. Please advise the undersigned immediately of any objections. Otherwise, no response is necessary. TMEP §707. Any amendments to the identification of goods and/or services may clarify or limit the goods and/or services, but may not add to or broaden the scope of the goods and/or services. 37 C.F.R. §2.71(a); *see* TMEP §§1402.06 *et seq.*

Disclaimer

The following disclaimer statement is added to the record:

No claim is made to the exclusive right to use "YOGI" apart from the mark as shown.

See 15 U.S.C. §1056(a); TMEP §§1213, 1213.08(a)(i).

/CarynGlasser/
Trademark Examining Attorney
Law Office 108
Phone: (571) 270-1517
Fax: (571)-270-2517
caryn.glasser@usp

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official

EXHIBIT J

notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at TrademarkAssistanceCenter@uspto.gov or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS: Use the Trademark Electronic Application System (TEAS) form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

To: Bad Yogi LLC (rachel.feinman@hwhlaw.com)
Subject: U.S. TRADEMARK APPLICATION NO. 86432152 - BAD YOGI - 14383.001
Sent: 2/11/2015 5:13:47 PM
Sent As: ECOM108@USPTO.GOV
Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)

**IMPORTANT NOTICE REGARDING YOUR
U.S. TRADEMARK APPLICATION**

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED
ON **2/11/2015** FOR U.S. APPLICATION SERIAL NO.86432152

Please follow the instructions below:

(1) TO READ THE LETTER: Click on this [link](#) or go to <http://tsdr.uspto.gov/>, enter the U.S. application serial number, and click on "Documents."

The Office action may not be immediately viewable, to allow for necessary system updates of the application, but will be available within 24 hours of this e-mail notification.

(2) QUESTIONS: For questions about the contents of the Office action itself, please contact the assigned trademark examining attorney. For *technical* assistance in accessing or viewing the Office action in the Trademark Status and Document Retrieval (TSDR) system, please e-mail TSDR@uspto.gov.

WARNING

PRIVATE COMPANY SOLICITATIONS REGARDING YOUR APPLICATION: Private companies **not** associated with the USPTO are using information provided in trademark applications to mail or e-mail trademark-related solicitations. These companies often use names that closely resemble the USPTO and their solicitations may look like an official government document. Many solicitations require that you pay "fees."

Please carefully review all correspondence you receive regarding this application to make sure that you are responding to an official document from the USPTO rather than a private company solicitation. All official USPTO correspondence will be mailed only from the "United States Patent and Trademark Office" in Alexandria, VA; or sent by e-mail from the domain "@uspto.gov." For more information on how to handle private company solicitations, see http://www.uspto.gov/trademarks/solicitation_warnings.jsp.

*** User:cglasser ***

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	14069	N/A	0	0	0:02	*b{v}d* [bi,ti]not dead [ld]
02	3566	N/A	0	0	0:02	*y{v}g{v}* [bi,ti]not dead [ld]
03	58	0	58	57	0:01	1 and 2
04	1027	0	1027	975	0:02	"bad" [bi,ti]not dead [ld]
05	144	0	144	139	P/0:01	"yogi" [bi,ti]not dead [ld]

Session started 2/11/2015 4:56:38 PM

Session finished 2/11/2015 5:02:35 PM

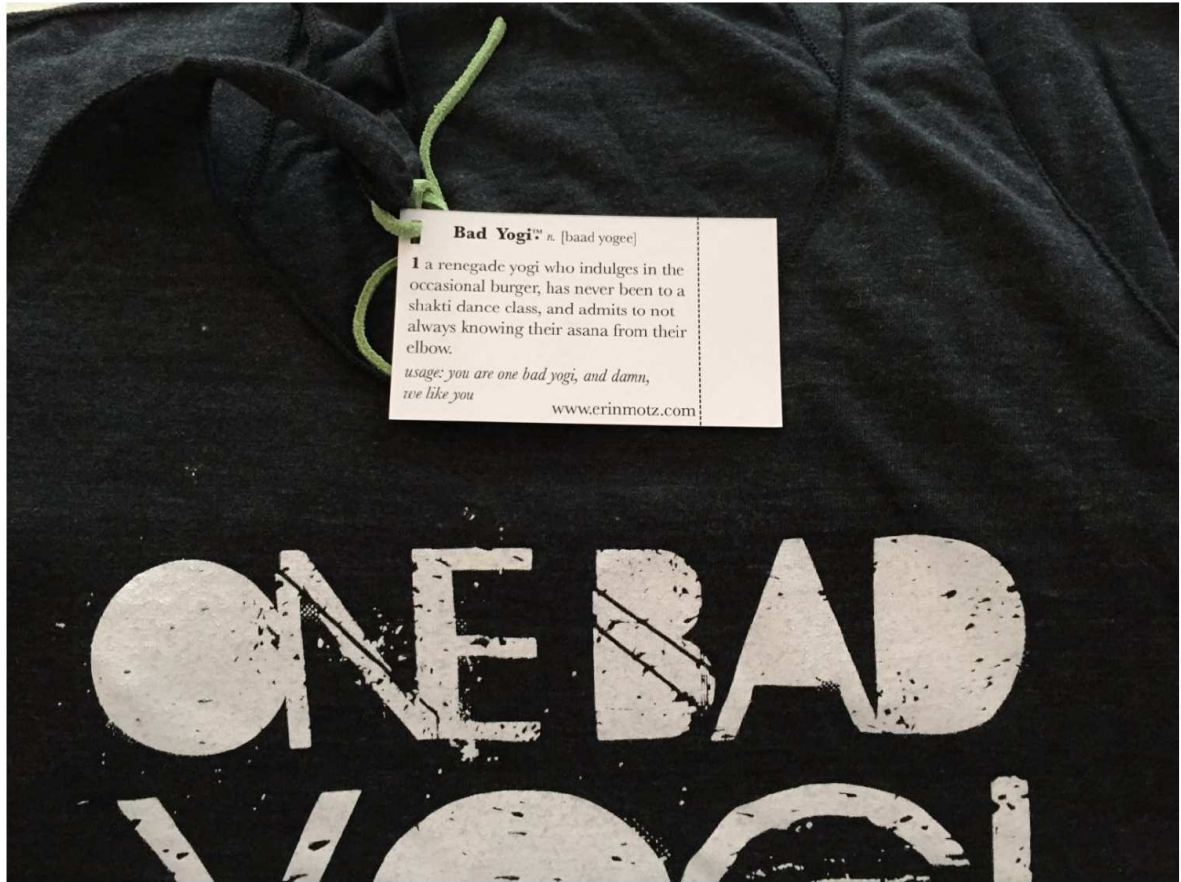
Total search duration 0 minutes 8 seconds

Session duration 5 minutes 57 seconds

Default NEAR limit=1ADJ limit=1

Sent to TIGRS as Serial Number: 86432152

BAD YOGI





7,595 subscribers

352,969 views


Video Manager

View as public






erinmotz.com



Bad Yogi

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The Official Yoga Challenge - Week 1

8,475 views 1 month ago

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Want the official Bad Yogi tank? Get it here...

<http://erinmotz.com/product...>

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TaraStiles

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16:08

Week 4 Day 7: Yoga for Commuters!

2,162 views 2 weeks ago



16:02

Week 4 - Day 6: Prenatal Yoga

1,667 views 2 weeks ago

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Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 86432152

Filing Date: 10/23/2014

NOTE: Data fields with the * are mandatory under TEAS Plus. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.

The table below presents the data as entered.

Input Field	Entered
TEAS Plus	YES
MARK INFORMATION	
*MARK	BAD YOGI
*STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	BAD YOGI
*MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	Bad Yogi LLC
*STREET	10422 La Mirage Court
*CITY	Tampa
*STATE (Required for U.S. applicants)	Florida
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	33615
PHONE	813-390-4683
EMAIL ADDRESS	erin@erinmotz.com
LEGAL ENTITY INFORMATION	
*TYPE	LIMITED LIABILITY COMPANY
* STATE/COUNTRY WHERE LEGALLY ORGANIZED	Florida
GOODS AND/OR SERVICES AND BASIS INFORMATION	
* INTERNATIONAL CLASS	025
*IDENTIFICATION	Athletic tops and bottoms for yoga ; Graphic T-shirts
*FILING BASIS	SECTION 1(a)

FIRST USE ANYWHERE DATE	At least as early as 08/01/2013
FIRST USE IN COMMERCE DATE	At least as early as 08/01/2013
SPECIMEN FILE NAME(S)	
ORIGINAL PDF FILE	SPE0120-381011618-20141015145208033210 . Class 25 Specimen.pdf
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT16\IMAGEOUT16\864\321\86432152\xml1\FTK0003.JPG
SPECIMEN DESCRIPTION	Tag on apparel
*INTERNATIONAL CLASS	041
*IDENTIFICATION	Providing on-line videos featuring yoga instruction , not downloadable
*FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 06/01/2013
FIRST USE IN COMMERCE DATE	At least as early as 06/01/2013
SPECIMEN FILE NAME(S)	
ORIGINAL PDF FILE	SPE0120-381011618-20141015145208033210 . Class 41 Specimen.pdf
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT16\IMAGEOUT16\864\321\86432152\xml1\FTK0004.JPG
SPECIMEN DESCRIPTION	Screenshot of on-line yoga instruction videos
ADDITIONAL STATEMENTS INFORMATION	
*TRANSLATION (if applicable)	
*TRANSLITERATION (if applicable)	
*CLAIMED PRIOR REGISTRATION (if applicable)	
*CONSENT (NAME/LIKENESS) (if applicable)	
*CONCURRENT USE CLAIM (if applicable)	
ATTORNEY INFORMATION	
NAME	Rachel M. Feinman, Esq.
ATTORNEY DOCKET NUMBER	14383.001
FIRM NAME	Hill Ward Henderson
STREET	101 E. Kennedy Blvd, Suite 3700
CITY	Tampa
STATE	Florida
COUNTRY	United States
ZIP/POSTAL CODE	33602
PHONE	8132213900
EMAIL ADDRESS	rachel.feinman@hwhlaw.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
CORRESPONDENCE INFORMATION	
*NAME	Rachel M. Feinman, Esq.

FIRM NAME	Hill Ward Henderson
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*STREET	101 E. Kennedy Blvd, Suite 3700
*CITY	Tampa
*STATE (Required for U.S. applicants)	Florida
*COUNTRY	United States
*ZIP/POSTAL CODE	33602
PHONE	8132213900
FAX	8132212900
*EMAIL ADDRESS	rachel.feinman@hwhlaw.com;christina.allen@hwhlaw.com
*AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
FEE INFORMATION	
NUMBER OF CLASSES	2
FEE PER CLASS	275
*TOTAL FEE PAID	550
SIGNATURE INFORMATION	
* SIGNATURE	/Erin A. Motzenbecker/
* SIGNATORY'S NAME	Erin A. Motzenbecker
* SIGNATORY'S POSITION	Co-Founder
SIGNATORY'S PHONE NUMBER	813-390-4683
* DATE SIGNED	10/22/2014

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 86432152

Filing Date: 10/23/2014

To the Commissioner for Trademarks:

MARK: BAD YOGI (Standard Characters, see [mark](#))

The literal element of the mark consists of BAD YOGI.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, Bad Yogi LLC, a limited liability company legally organized under the laws of Florida, having an address of
10422 La Mirage Court
Tampa, Florida 33615
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

For specific filing basis information for each item, you must view the display within the Input Table.

International Class 025: Athletic tops and bottoms for yoga; Graphic T-shirts

In International Class 025, the mark was first used by the applicant or the applicant's related company or licensee predecessor in interest at least as early as 08/01/2013, and first used in commerce at least as early as 08/01/2013, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) Tag on apparel.

Original PDF file:

[SPE0120-381011618-20141015145208033210 . Class 25 Specimen.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

For specific filing basis information for each item, you must view the display within the Input Table.

International Class 041: Providing on-line videos featuring yoga instruction, not downloadable

In International Class 041, the mark was first used by the applicant or the applicant's related company or licensee predecessor in interest at least as early as 06/01/2013, and first used in commerce at least as early as 06/01/2013, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) Screenshot of on-line yoga instruction videos.

Original PDF file:

[SPE0120-381011618-20141015145208033210 . Class 41 Specimen.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

The applicant's current Attorney Information:

Rachel M. Feinman, Esq. of Hill Ward Henderson
101 E. Kennedy Blvd, Suite 3700

Tampa, Florida 33602

United States

The attorney docket/reference number is 14383.001.

The applicant's current Correspondence Information:

Rachel M. Feinman, Esq.

Hill Ward Henderson

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Tampa, Florida 33602

8132213900(phone)

8132212900(fax)

rachel.feinman@hwhlaw.com;christina.allen@hwhlaw.com (authorized)

A fee payment in the amount of \$550 has been submitted with the application, representing payment for 2 class(es).

Declaration

The signatory believes that: if the applicant is filing the application under 15 U.S.C. Section 1051(a), the applicant is the owner of the trademark/service mark sought to be registered; the applicant or the applicant's related company or licensee is using the mark in commerce on or in connection with the goods/services in the application, and such use by the applicant's related company or licensee inures to the benefit of the applicant; the specimen(s) shows the mark as used on or in connection with the goods/services in the application; and/or if the applicant filed an application under 15 U.S.C. Section 1051(b), Section 1126(d), and/or Section 1126(e), the applicant is entitled to use the mark in commerce; the applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the goods/services in the application. The signatory believes that to the best of the signatory's knowledge and belief, no other person has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or mistake, or to deceive. The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of the application or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Signature: /Erin A. Motzenbecker/ Date Signed: 10/22/2014

Signatory's Name: Erin A. Motzenbecker

Signatory's Position: Co-Founder

RAM Sale Number: 86432152

RAM Accounting Date: 10/23/2014

Serial Number: 86432152

Internet Transmission Date: Thu Oct 23 10:24:26 EDT 2014

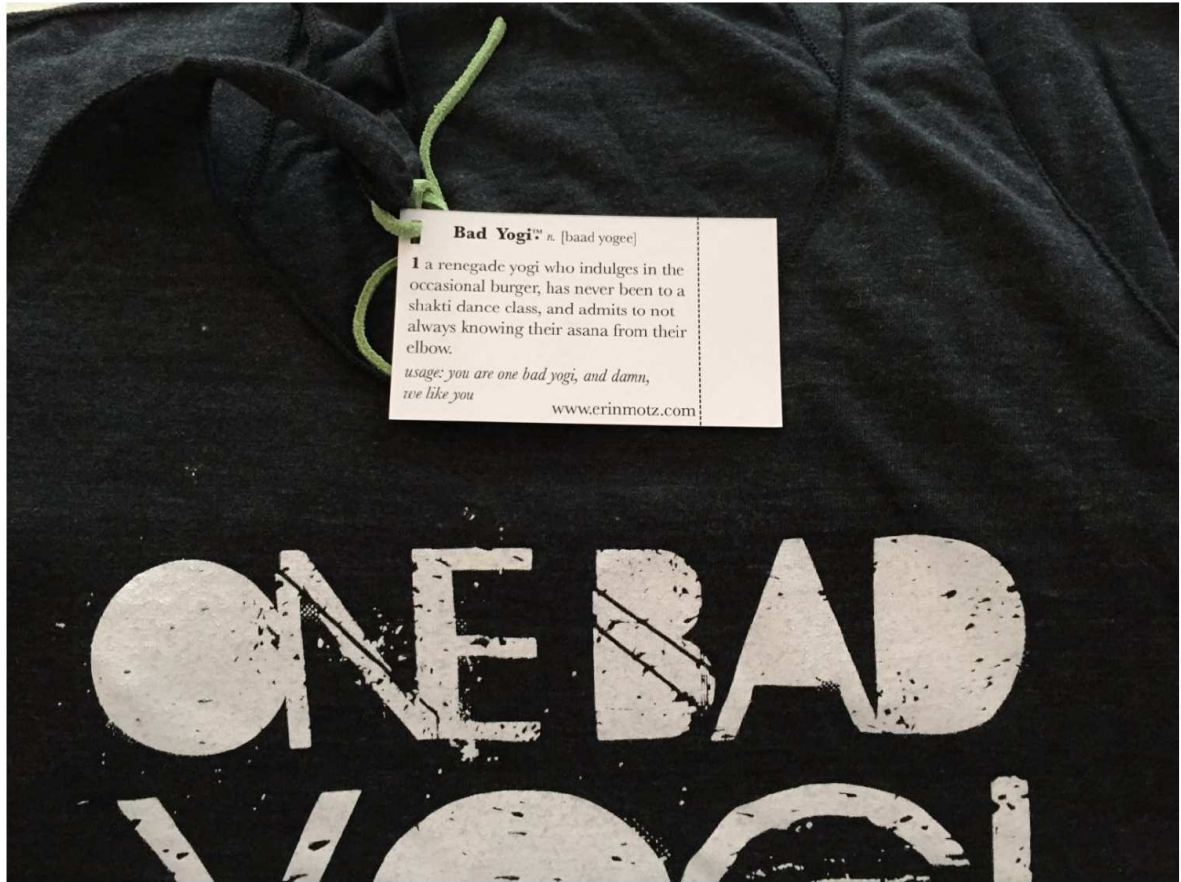
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